

Page 1

1 IN THE UNITED STATES DISTRICT COURT
 2 FOR THE NORTHERN DISTRICT OF OHIO
 3 EASTERN DIVISION
 4
 5 ADAM FRIED, Administrator) CASE NO. 1:18-cv-00139
 6 for the Estate of Roy)
 7 Evans, Jr., Deceased)
 8 and) JUDGE GAUGHAN
 9 AMANDA PAULEY,)
 10 Individually and as) VIDEOTAPED DEPOSITION OF
 11 Parent and Next Friend)
 12 for D.C., Y.E., and R.E.) AMANDA PAULEY
 13 Plaintiffs,)
 14 versus)
 15 CITY OF STRONGSVILLE,)
 16 OHIO)
 17 and)
 18 JASON MILLER)
 19 and)
 20 SGT. KELLEY)
 21 and)
 22 JAMES KOBAK)
 23 Defendants.)
 24 -----
 25

Page 2

1 Videotaped Deposition of AMANDA PAULEY, a
 2 Plaintiff herein, called by the Defendants for
 3 Cross-Examination pursuant to the Ohio Rules of Civil
 4 Procedure, taken before me, the undersigned, Susan M.
 5 Petro, a Stenographic Reporter and Notary Public in and
 6 for the State of Ohio, at the offices of Jordan &
 7 Sidoti, LLP, The Terminal Tower, 50 Public Square,
 8 Suite 1900, Cleveland, Ohio, on Wednesday,
 9 July 18, 2018, at 9:20 a.m.
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

Page 3

1 APPEARANCES:
 2
 3 On Behalf of the Plaintiff, Adam Fried,
 4 Administrator for the Estate of Roy Evans, Jr.,
 5 Deceased:
 6 Marcus S. Sidoti, Esq.
 7 Jordan & Sidoti, LLP
 8 The Terminal Tower,
 9 50 Public Square, Suite 1900
 10 Cleveland, Ohio 44113
 11 216.357.3350
 12 marcus@jordansidoti.com
 13
 14 On Behalf of the Plaintiffs, Amanda Pauley,
 15 Individually and as Parent and Next Friend for
 16 D.C., Y.E., and R.E.:
 17 Joseph F. Scott, Esq.
 18 Scott & Winters
 19 The Caxton Building
 20 812 Huron Road, Suite 490
 21 Cleveland, Ohio 44115
 22 216.650.3318
 23 jscott@ohiowagelawyers.com
 24
 25 On Behalf of the Defendants:
 Todd M. Raskin, Esq.
 Mazanec, Raskin & Ryder Co., L.P.A.
 100 Franklin's Row
 34305 Solon Road
 Solon, Ohio 44139
 440.424.0023
 traskin@mrlaw.com
 ALSO PRESENT:
 David Tackla, Videographer
 David Pauley

Page 4

1 I N D E X
 2
 3 EXAMINATION BY PAGE
 4 Mr. Raskin 204 5
 5 Mr. Sidoti 197
 6
 7
 8 PLAINTIFF'S EXHIBITS MARKED
 9 None
 10
 11 DEFENDANTS' EXHIBITS MARKED PAGE
 12 A, Copies of Photos 82
 13 A-1, Copies of Photo Containing Van 84
 14 B, Amended Complaint 156
 15 C, Report of Special Agent Charles Moran 173
 16 -----
 17
 18
 19
 20
 21
 22
 23
 24
 25

Page 5	Page 7
<p>1 THE VIDEOGRAPHER: We're on the record.</p> <p>2 Today's date is July 18, 2018; the time</p> <p>3 is now 9:20:59. This is the beginning of</p> <p>4 Tape No. 1.</p> <p>5 Can you please raise your right hand to</p> <p>6 be sworn in by the court reporter.</p> <p>7 WHEREUPON,</p> <p>8 AMANDA PAULEY,</p> <p>9 after being first duly sworn, as hereinafter</p> <p>10 certified, testified as follows:</p> <p>11 CROSS-EXAMINATION</p> <p>12 BY MR. RASKIN:</p> <p>13 Q. Ms. Pauley, good morning.</p> <p>14 A. Good morning.</p> <p>15 Q. My name is Todd Raskin. We're meeting for the</p> <p>16 first time. I represent the City of Strongsville</p> <p>17 and Officers -- Officer Miller, Sergeant Kelley,</p> <p>18 and former Chief Kobak in the defense of a lawsuit</p> <p>19 which was filed by Adam Fried as the Administrator</p> <p>20 of the Estate of Roy Evans Jr. and yourself both</p> <p>21 individually and as parent and next friend of</p> <p>22 three children.</p> <p>23 A. Two children.</p> <p>24 Q. Let me first begin by saying please accept my</p> <p>25 condolences. I'm sorry that I have to meet you</p>	<p>1 met just before we started as well.</p> <p>2 MR. PAULEY: Yes.</p> <p>3 BY MR. RASKIN:</p> <p>4 Q. Okay. So you have very able counsel representing</p> <p>5 you and I'm sure that they've discussed with you</p> <p>6 what this process entails. But -- but at the risk</p> <p>7 of repeating what you've already heard, I'd like</p> <p>8 to share with you just a couple of observations,</p> <p>9 okay?</p> <p>10 A. Yes.</p> <p>11 Q. So -- so the first thing to remember is you must</p> <p>12 always give verbal responses to questions because</p> <p>13 the court reporter can't interpret what you mean</p> <p>14 if you nod your head or shake your head, okay?</p> <p>15 A. Yes.</p> <p>16 Q. Secondly, this is a question and answer session,</p> <p>17 it's not a conversation. Do you understand?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. Which means we can't interrupt one another</p> <p>20 because, once again, the court reporter can't take</p> <p>21 down what we're both saying at the same time.</p> <p>22 Fair enough?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. If you need to take a break at any time,</p> <p>25 just tell me and we'll -- and we'll take a break.</p>
Page 6	Page 8
<p>1 under these circumstances.</p> <p>2 In the room, in addition to the court</p> <p>3 reporter and videographer and two of your lawyers,</p> <p>4 is your dad; is that correct?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. And you've asked to have your dad present</p> <p>7 as -- as support for you --</p> <p>8 A. Yes.</p> <p>9 Q. -- today, correct?</p> <p>10 A. Yes.</p> <p>11 MR. RASKIN: All right. And, Counsel, on</p> <p>12 behalf of the Defendants, I agreed that</p> <p>13 Mr. Pauley could be present so long as we</p> <p>14 have a stipulation that he will be -- he will</p> <p>15 not be participating in or testifying in this</p> <p>16 case in any manner, be it for motion practice</p> <p>17 or at trial. Is that --</p> <p>18 MR. SCOTT: That is -- that is correct.</p> <p>19 And we so stipulate Mr. Pauley will not be a</p> <p>20 witness in any capacity at any stage of this</p> <p>21 litigation.</p> <p>22 MR. RASKIN: Thank you very much.</p> <p>23 And, Mr. Pauley, we met.</p> <p>24 MR. PAULEY: Yes.</p> <p>25 MR. RASKIN: You're not mic'd up. But we</p>	<p>1 If I give you a document, which I will,</p> <p>2 an exhibit that I'll mark, I'll ask you to read it</p> <p>3 or read a portion of it, and you take as much time</p> <p>4 as you need, and then you just tell me when you're</p> <p>5 ready for me to ask you questions, okay?</p> <p>6 A. Yes.</p> <p>7 Q. All right. At any time you need to consult with</p> <p>8 your lawyers, just tell me that you need to take a</p> <p>9 break, even if I've asked you a question -- you</p> <p>10 are welcome to consult with your lawyers at any</p> <p>11 time -- we'll go off the record and you can step</p> <p>12 out of the room, or we will, so that you can talk</p> <p>13 to your counsel, okay?</p> <p>14 A. Yes.</p> <p>15 Q. All right. So with -- with those kinds of</p> <p>16 conversations complete, let me ask you for some</p> <p>17 basic information. We'll start out easy.</p> <p>18 Hopefully, the day will go easy, right?</p> <p>19 A. Yes.</p> <p>20 Q. Do you have any time constraints today?</p> <p>21 A. No.</p> <p>22 Q. Okay. Are you taking any medication that causes</p> <p>23 you any difficulty in understanding the questions</p> <p>24 that I'm asking or the answers that you're giving?</p> <p>25 A. No.</p>

Page 9

Page 11

1 **Q. Have you taken any medication at all today?**
 2 A. No.
 3 **Q. Do you regularly take some prescriptions?**
 4 A. Yes.
 5 **Q. What do you regularly take?**
 6 A. I take [REDACTED] every evening.
 7 **Q. That's to help you [REDACTED]?**
 8 A. Yes.
 9 **Q. It's my understanding that you had been taking and**
 10 **maybe still do take an [REDACTED] medication.**
 11 A. No. I was taking [REDACTED] for [REDACTED]
 12 **Q. Okay. And do you no longer take [REDACTED]**
 13 A. I no longer take it.
 14 **Q. How long were you taking it?**
 15 A. A year.
 16 **Q. So you know what that means, but I don't. What --**
 17 **what's the year that you're thinking of? What**
 18 **month --**
 19 A. I'm sorry.
 20 **Q. -- to what month?**
 21 **That's okay.**
 22 A. March of 2017 to approximately March of 2018.
 23 **Q. You're kind of soft-spoken.**
 24 A. I'm sorry.
 25 **Q. I'm kind of old, and there's kind of noise in this**

Page 10

1 **room, so can you try --**
 2 A. Speak louder.
 3 **Q. -- and keep your voice up?**
 4 A. Yes.
 5 **Q. Thank you. I'll remind you. Because if I can't**
 6 **hear you, then I can't ask the next question and**
 7 **we'll never get this deposition over, right?**
 8 A. Right.
 9 **Q. Right.**
 10 **And my guess is the first thing you want**
 11 **to do is finish, right?**
 12 A. Yes.
 13 **Q. Okay. That's what I figured.**
 14 **So tell me, who prescribed the [REDACTED]**
 15 A. Dr. Carbone.
 16 **Q. And what type of doctor is Dr. Carbone?**
 17 A. He's my PCP, primary care physician.
 18 **Q. Where does he practice?**
 19 A. Avon.
 20 **Q. Is there a name of his practice?**
 21 A. No, I don't -- well, I'm not sure. It might be
 22 Westshore, but I -- I'm not exactly sure.
 23 **Q. Okay.**
 24 A. You can google his name, though, and it gives you
 25 everything.

1 **Q. Okay. Did -- did the [REDACTED] that you were**
 2 **taking -- did the prescription ever increase or**
 3 **decrease, or were you on the same dosage for a**
 4 **year?**
 5 A. It increased.
 6 **Q. Do you know what your dosage was?**
 7 A. I went up to [REDACTED].
 8 **Q. Do you know what you started at?**
 9 A. [REDACTED]
 10 **Q. And if I understand you correctly, by the end of**
 11 **March of this year, you had stopped taking [REDACTED]**
 12 **entirely.**
 13 A. Yes.
 14 **Q. Is that because whatever symptoms you were**
 15 **experiencing that you needed [REDACTED] for had**
 16 **subsided?**
 17 A. No. My doctor switched my [REDACTED] to
 18 another [REDACTED]. They seemed to make me
 19 tired and nauseous, so I personally -- it was my
 20 decision to quit.
 21 **Q. Was the [REDACTED] -- [REDACTED] that he**
 22 **switched you -- switched you to [REDACTED]**
 23 A. Yes.
 24 **Q. And when -- when were you switched to [REDACTED]**
 25 A. I can't give you an exact date. I don't recall.

Page 12

1 **Q. What's your best memory?**
 2 A. Maybe January of 2018.
 3 **Q. So then you weren't taking [REDACTED] the whole --**
 4 A. Not the whole year, no -- I don't know. I -- I
 5 don't know. If you pull up the records, I'm sure
 6 the pharmaceutical will show when I switched to
 7 [REDACTED]
 8 **Q. Why did you switch from [REDACTED]**
 9 A. Nausea. It made me actually nauseous and sleepy
 10 throughout the day.
 11 **Q. So the side effects?**
 12 A. Yes, the side effects.
 13 **Q. And why did you stop taking the [REDACTED]?**
 14 A. Same side effects.
 15 **Q. And that's spelled [REDACTED]**
 16 A. Yes.
 17 **Q. So by March of 2018, you -- and since that time,**
 18 **you haven't taken any medication for [REDACTED] or**
 19 **[REDACTED] correct?**
 20 A. Correct.
 21 **Q. Are you treating with any mental health or**
 22 **behavioral health specialist?**
 23 A. Yes.
 24 **Q. Who?**
 25 A. I just started speaking with Alison Flowers.

Page 13	Page 15
<p>1 Q. And Alison Flowers is -- what is her field of 2 expertise? 3 A. I believe she's a psychologist. 4 Q. How many times have you seen -- 5 A. I've seen her twice so far. 6 Q. Okay. So that's -- 7 A. Two times. 8 Q. When was the first time you saw her? 9 A. About maybe a month ago. 10 Q. What's the frequency of your visits? 11 A. Every two weeks. 12 Q. You go every two weeks and see her for how long 13 each time? 14 A. Until she says I don't have to. 15 Q. No, no, no. I'm sorry. 16 A. Oh, how -- how long the sessions are? 17 Q. Yes. 18 A. Approximately 30 minutes. 19 Q. So you would have seen Alison Flowers for the 20 first time sometime in June? 21 A. Yes, I seen her -- 22 Q. June of 2018? 23 A. Yes. And then I seen her for the second time 24 yesterday. 25 Q. Has Alison Flowers given you a diagnosis?</p>	<p>1 Q. So there's no out-of-pocket expense to you at all? 2 A. Correct. 3 Q. Are you treating with any other physicians or 4 behavioral health practitioners for any condition 5 which you attribute to the events of March of 6 2017? 7 A. No. 8 Q. Are you employed? 9 A. Yes. 10 Q. Where do you work? 11 A. Five Star Adult Home. 12 Q. I'm sorry? 13 A. Five Star Adult Home. It's an alternative living 14 to a nursing home. 15 Q. Where is Five Star Adult Home located? 16 A. Avon Lake. 17 Q. How long have you worked there? 18 A. Approximately five years. 19 Q. And what do you do? 20 A. I'm a caregiver. 21 Q. So tell me -- a caregiver can be anything from an 22 RN to an LPN to a medical assistant. What -- 23 what -- 24 A. I take a role of an STNA. 25 Q. So you're state certified?</p>
Page 14	Page 16
<p>1 A. She hasn't -- she's given me paperwork on 2 [REDACTED]. We mainly work 3 on -- she's trying to help me manage my [REDACTED] 4 with meditation and breathing. 5 Q. Has Alison Flowers diagnosed you as suffering from 6 [REDACTED]? 7 A. There's nothing that -- me and her haven't spoken 8 about it, but she printed me paperwork on it, so 9 that would be something you would have to ask her. 10 Q. How did you come to begin consulting with Alison 11 Flowers? 12 A. About a year ago Dr. Carbone kept suggesting I 13 speak with her, that's somebody that he works 14 with. In my last appointment with him, they 15 continued to up the [REDACTED]. And my lack of 16 concentration, he's -- told me that he thinks that 17 it would be a really good idea for me to speak 18 with somebody, so this time he made my first 19 appointment for me. 20 Q. Your family doctor? 21 A. Yes. 22 Q. And how much does each visit cost you? 23 A. Nothing. My -- my insurance covers it. 24 Q. By whom are you insured? 25 A. CareSource.</p>	<p>1 A. I'm not state certified, but we do everything an 2 STNA would do without the state certification. 3 Q. Okay. So are you -- 4 A. I do have my medical assistant license, but that 5 is not what I do in that facility. I -- our 6 titles are caregivers. 7 Q. So you're a nursing assistant without the state 8 certification? 9 A. Correct. 10 Q. Is that the job you filled all five years? 11 A. Yes. 12 Q. And you have a medical assistant certificate? 13 A. Correct. 14 Q. Okay. And when did you get -- 15 A. 2013. 16 Q. You got to let me ask my question first. 17 A. Sorry. 18 Q. So you got a medical assistant certificate in 19 2013. Where did you study for your certification? 20 A. Ohio Business College. 21 Q. And did you successfully pass the test? 22 A. Yes. 23 Q. And that's a one-year course of study, plus or 24 minus? 25 A. Yes.</p>

Page 17

Page 19

1 **Q. Any other formal education beyond your medical**
2 **assistant certification?**

3 A. No.

4 **Q. Are you a high school graduate?**

5 A. Yes.

6 **Q. Where did you go to high school and when did you**
7 **graduate?**

8 A. Brookside High in 1999.

9 **Q. And in what community is Brookside?**

10 A. Sheffield Lake.

11 **Q. So in March of 2017, you were employed at Five**
12 **Star?**

13 A. Yes.

14 **Q. Did you miss any time from work --**

15 A. Yes.

16 **Q. -- following the incident?**

17 A. Yes. In March of 2017, I was employed at Five
18 Star. I had put my two weeks in and got employed
19 at a foot doctor. I worked there for one day, the
20 day that Roy passed away, that Monday I worked.
21 And then I -- after everything that happened, I
22 chose to go back to Five Star, so --

23 **Q. So how soon after the March 2017 incident did you**
24 **return to work at Five Star?**

25 A. About a month.

Page 18

1 **Q. Did Five Star accept your resignation the day**
2 **before?**

3 A. Yes, she was -- well, I -- I gave her a two-week
4 prior notice, yes. She accepted it, she was very
5 happy.

6 **Q. So how much were you making at Five Star in March**
7 **of 2017?**

8 A. Ten seventy-five.

9 **Q. And were you working 40 hours a week?**

10 A. Thirty-five.

11 **Q. Was there any interruption in your benefits in the**
12 **month that you didn't work?**

13 A. I don't understand the question.

14 **Q. Was there any interruption in your medical**
15 **coverage or anything like that?**

16 A. No.

17 **Q. What is your marital status?**

18 A. Single.

19 **Q. Have you ever been married?**

20 A. No.

21 **Q. Do you have children?**

22 A. Yes.

23 **Q. How many?**

24 A. Three.

25 **Q. What are their names and ages, please?**

1 A. D■■■■ C■■■■, ■■■■■; Y■■■■ E■■■■, she's
2 ■■■■■ and R■■ E■■■■, ■■■■■.

3 **Q. And is the father -- or was the father of**
4 **J■■■■ R■■ --**

5 A. Y■■■■.

6 **Q. Oh, Y■■■■. I'm sorry. Forgive me. I apologize.**
7 **Strike that. I'll re-ask the question.**

8 **Was the father of Y■■■■ and R■■■■**
9 **E■■■■.?**

10 A. Yeah. His name was R■■ E■■■■. -- I'm sorry --
11 and then my son is R■■ E■■■■.

12 **Q. Okay. Now you've confused me.**

13 A. There's ■■■■■ He should have been a third, so --

14 **Q. Okay.**

15 A. Yes.

16 **Q. So the decedent --**

17 A. Is R■■ E■■■■, yes.

18 **Q. -- is the father -- okay. You have to let me ask**
19 **my questions, please.**

20 **The decedent is the father of Y■■■■ and**
21 **R■■?**

22 A. Yes.

23 **Q. Your two children -- two of your three children?**

24 A. Yes.

25 **Q. Have all three of your children always lived with**

Page 20

1 **you?**

2 A. Yes.

3 **Q. It's my understanding that D■■■■ had some**
4 **involvement with Bellefaire.**

5 A. Yes.

6 **Q. Okay. Why was D■■■■ being seen at Bellefaire?**

7 A. I had contacted Bellefaire prior to this incident
8 because D■■■■ had some ■■■■■ and I
9 thought it would be good for him to speak with
10 somebody.

11 **Q. Is this the Bellefaire in Cleveland Heights?**

12 A. No.

13 **Q. Where is --**

14 A. Elyria.

15 **Q. And what is the nature of the services that**
16 **Bellefaire in Elyria provides?**

17 A. Well, he was seeing a psychologist.

18 **Q. What was the name of the psychologist?**

19 A. Oh, my goodness. He's seen two, and I'm drawing a
20 complete blank all of a sudden.

21 **THE WITNESS: Do you remember?**

22 **Q. No, no. He can't answer.**

23 A. Oh, he can't?

24 **Q. Nobody can help you.**

25 A. I'm sorry.

Page 21	Page 23
<p>1 Q. But if -- but if you know --</p> <p>2 A. I -- I can't recall right now.</p> <p>3 Q. If you don't know the answer to one of my</p> <p>4 questions, just tell me you don't remember or you</p> <p>5 can't recall, that's okay. I don't want you to</p> <p>6 guess. Nobody wants you to guess.</p> <p>7 Okay. So do I understand that D[REDACTED] was</p> <p>8 seeing a psychologist at Bellefaire in Elyria</p> <p>9 prior to the incident in March of 2017?</p> <p>10 A. Correct.</p> <p>11 Q. Why?</p> <p>12 A. He was very [REDACTED].</p> <p>13 Q. Were you ever provided with a diagnosis?</p> <p>14 A. Yes.</p> <p>15 Q. What?</p> <p>16 A. [REDACTED].</p> <p>17 Q. And that was prior to March of 2017?</p> <p>18 A. Yes.</p> <p>19 Q. And was he seeing a psychologist regularly prior</p> <p>20 to --</p> <p>21 A. Yes.</p> <p>22 Q. -- March of 2017?</p> <p>23 A. Yes.</p> <p>24 Q. With what frequency? How often?</p> <p>25 A. Probably about twice a week.</p>	<p>1 Q. Okay. So he -- he stopped going?</p> <p>2 A. No, he was discharged. He was discharged.</p> <p>3 Q. Why was he discharged?</p> <p>4 A. He was -- he started seeing -- he started seeing</p> <p>5 Bellefaire and he got his self in trouble so,</p> <p>6 through the courts, they switched his counsel from</p> <p>7 the woman to the man, he really connected with the</p> <p>8 man. So when his court issues were wrapped up,</p> <p>9 they wanted -- they didn't want to discharge him</p> <p>10 so fast because he wanted to continue to see this</p> <p>11 counselor because he needed it. So the courts let</p> <p>12 him stay on until they said we can no longer. So</p> <p>13 without the court order, he couldn't see this in</p> <p>14 particular counselor.</p> <p>15 Q. What was the name of that counselor?</p> <p>16 A. I can't recall.</p> <p>17 Q. All right. What was -- what difficulty did he</p> <p>18 become involved with that caused him to be</p> <p>19 involved with the courts?</p> <p>20 MR. SCOTT: Objection.</p> <p>21 You can answer.</p> <p>22 You're asking about juvenile records.</p> <p>23 MR. RASKIN: I understand.</p> <p>24 BY MR. RASKIN:</p> <p>25 Q. You can answer.</p>
Page 22	Page 24
<p>1 Q. For how long prior to March of 2017 was that going</p> <p>2 on?</p> <p>3 A. I -- my best guess would be a few months, three</p> <p>4 months.</p> <p>5 Q. Has D[REDACTED] continued to see a psychologist at</p> <p>6 Bellefaire subsequent to the incident in March of</p> <p>7 2017?</p> <p>8 A. He does not currently see one.</p> <p>9 Q. When did he last receive any counseling or</p> <p>10 treatment at Bellefaire?</p> <p>11 A. I can't give you a direct answer, but to my best</p> <p>12 guess would be maybe June of 2017.</p> <p>13 Q. And was the counseling discontinued because he was</p> <p>14 discharged and all of his symptoms resolved, or</p> <p>15 did he just decide to stop going?</p> <p>16 A. He was discharged. He didn't want to speak with</p> <p>17 anybody else currently. He did start seeing</p> <p>18 Dr. Carbone and he got some medication, which</p> <p>19 seemed to help. But he doesn't speak to anybody</p> <p>20 currently.</p> <p>21 Q. Okay. But my question was a little bit different</p> <p>22 than that.</p> <p>23 Was he discharged because he was -- his</p> <p>24 [REDACTED] had resolved?</p> <p>25 A. No.</p>	<p>1 A. He got -- got in a fight with his girlfriend and</p> <p>2 he got arrested.</p> <p>3 Q. For?</p> <p>4 A. Well, for domestic violence and -- I don't know</p> <p>5 the technical term. He broke her tablet, so</p> <p>6 breaking his -- his girlfriend's tablet, and it</p> <p>7 went to court.</p> <p>8 Q. And he went to juvenile court in Elyria?</p> <p>9 A. Correct.</p> <p>10 Q. How old is D[REDACTED] now?</p> <p>11 A. Devin is [REDACTED].</p> <p>12 Q. Was that D[REDACTED] only involvement with the</p> <p>13 judicial system?</p> <p>14 A. Yes.</p> <p>15 Q. And have you described for me all of the</p> <p>16 counseling that D[REDACTED] has had as a -- a young</p> <p>17 person?</p> <p>18 A. I -- actually, I was thinking about it --</p> <p>19 THE WITNESS: Which I meant to call you</p> <p>20 on this one.</p> <p>21 A. He did see -- after my mother and his grandpa</p> <p>22 passed away, he went to Psych & Psych because they</p> <p>23 passed away so fast and --</p> <p>24 Q. When was that?</p> <p>25 A. -- in Elyria. That was around 2013. He went</p>

Page 25

1 there for a couple months.

2 **Q. So when his maternal grandparents --**

3 A. Yes.

4 **Q. Has D■■■■ lived with -- I might have asked you**
5 **this question. If I did, I apologize.**

6 But have all three of the kids lived with
7 you throughout their entire lifetime?

8 A. Yes.

9 **Q. With regard to your medical conditions, have you**
10 **been diagnosed with suffering from any medical**
11 **conditions by any physicians?**

12 A. No.

13 **Q. According to the CareSource records that we**
14 **received, it looks like their records reflect that**
15 **you have a diagnosis of ■■■■■,**

16 ■■■■■, ■■■■■,
17 ■■■■■, and ■■■■■, and
18 ■■■■■

19 MR. SCOTT: Objection.

20 Go ahead and answer.

21 THE WITNESS: Excuse me?

22 MR. SCOTT: You can go ahead and answer.

23 I'm sorry.

24 A. Well, then, nobody ever told me any of that.

Page 26

1 BY MR. RASKIN:

2 **Q. So all that comes as a shock to you?**

3 A. That all comes as a shock to me, yes.

4 **Q. Okay. Well, then, I would suggest that you reach**
5 **out to CareSource because that's what their**
6 **records that we just got show.**

7 A. Yes, that's --

8 **Q. So -- but to be clear then, it's your testimony**
9 **that you didn't -- that you don't suffer from any**
10 **of those conditions so far as you know?**

11 A. As far as I know, no.

12 **Q. Are you a smoker?**

13 A. No.

14 **Q. Have you ever been?**

15 A. No.

16 **Q. Well, they got that right apparently.**

17 Okay. Have you been diagnosed as
18 suffering from ■■■■■?

19 A. Yes.

20 **Q. Are you taking medication to treat the pain and**
21 **inflammation associated with ■■■■■?**

22 A. No.

23 **Q. Have you ever?**

24 A. Yes.

25 **Q. They got that right.**

Page 27

1 Okay. In any event, would it be your
2 testimony that whatever medical conditions you
3 have have not been affected by the events of March
4 of 2017?

5 A. Correct.

6 **Q. Have you been hospitalized at any time within the**
7 **last 10 years overnight other than for childbirth?**

8 A. Yes.

9 **Q. Why?**

10 A. I was very ■■■■■ when I was pregnant with Roy
11 and I was ■■■■■ and I was put in a ■■■■■
12 hospital for ■■■■■ at the time.

13 **Q. Okay. So R■■ is three, so when would that have**
14 **occurred?**

15 A. 2014.

16 **Q. And was that while you were carrying R■■ or after**
17 **you delivered?**

18 A. While I was carrying him.

19 **Q. Did you actually attempt suicide?**

20 MR. SCOTT: Objection.

21 You can answer.

22 A. I had took too much ■■■■■ and I woke up in
23 the ICU. It wasn't an attempt. It wasn't an
24 attempt, but I did take too much. I had worked
25 12 hours and -- I don't know. My -- my mental

Page 28

1 stability wasn't very strong at that time.

2 BY MR. RASKIN:

3 **Q. So you ■■■■■ by taking too much ■■■■■?**

4 A. Yes.

5 **Q. How many ■■■■■ tablets did you take?**

6 A. I don't know the exact number.

7 **Q. And where were you hospitalized?**

8 A. University Hospital in Cleveland.

9 **Q. At Hanna Pavilion?**

10 A. I -- I don't know. Down -- downtown campus,
11 somewhere down here, and then they transferred me
12 to a place I don't even know the name of.

13 **Q. How long were you -- well, strike that. Were you**
14 **an inpatient?**

15 A. Yes.

16 **Q. For how long?**

17 A. A week.

18 **Q. Were you an inpatient voluntarily or**
19 **involuntarily?**

20 A. Involuntarily.

21 **Q. Who caused you to be admitted?**

22 A. I'm assuming the -- the hospital. I don't know.

23 **Q. So you don't know who filled out the paperwork --**

24 A. No.

25 **Q. -- requesting that you be committed?**

Page 29	Page 31
<p>1 A. I -- my -- my thoughts would be the hospital, 2 University Hospital. 3 Q. I'm not asking you to guess. Do you know? 4 A. I do not know. 5 Q. Do you know the name of the psychiatrist or 6 psychologist with whom you treated at UH? 7 A. No. 8 Q. Were you given instructions for follow-up care? 9 A. They gave me [REDACTED], and I followed up with my 10 OB/GYN and took [REDACTED] for a month or two 11 and stopped. 12 Q. Was that the only hospitalization you've had in 13 the last 10 years? 14 A. Yes. 15 Q. Have you described for me all of the behavioral 16 health care that you've received in the last 17 10 years? 18 A. Yes. 19 Q. So you didn't have any ongoing counseling with any 20 behavioral health -- 21 A. No. 22 Q. -- professional -- 23 A. No. 24 Q. -- after getting released from UH? 25 A. No.</p>	<p>1 Q. And how long did you work at Christie's? 2 A. Ten years. 3 Q. And I should have asked you this question, and I 4 apologize, what's your date of birth? 5 A. [REDACTED]. 6 Q. Any other employment other than at Christie's and 7 at Five Star? 8 A. Yes. Roy -- Roy opened up a carpet shop on 9 Route 113 called the Remnant Barn. I helped him 10 do everything there. 11 Q. How long did you work there? 12 A. A year. 13 Q. Okay. What year was that year? 14 A. I want to say 2010 -- 2009, 2010. 15 Q. And then did that business -- was that business 16 not successful? 17 A. It was overwhelming, so he gave it to his parents. 18 It was -- it was too much for two people to 19 handle. 20 Q. And so that's when your employment ended -- 21 A. There. 22 Q. -- or did you continue working there? 23 A. No. No, I did not continue working there. 24 Q. Did you go back to Christie's? 25 A. Yes.</p>
Page 30	Page 32
<p>1 MR. RASKIN: Counsel, so we'll need to 2 get an authorization for -- 3 MR. SCOTT: Yes. 4 MR. RASKIN: -- University Hospital as 5 well, please. 6 MR. SCOTT: We'll get you an additional 7 one. I think we sent three. 8 BY MR. RASKIN: 9 Q. Did you inform Dr. Flowers of your prior 10 commitment to University Hospital? 11 A. No. 12 Q. Prior to working at Five Star, what type of work 13 did you do? 14 A. I was an entertainer. 15 Q. I'm sorry? 16 A. I was a dancer. 17 MR. RASKIN: Is there any way you can 18 turn this off? 19 MR. SIDOTI: It'd be a hundred degrees in 20 here. 21 BY MR. RASKIN: 22 Q. Where did you work as a dancer? 23 A. Christie's Cabaret. 24 Q. Which one? 25 A. Downtown.</p>	<p>1 Q. Can you tell me basically what years you worked at 2 Christie's? I'm just trying to fill in all of 3 your -- 4 A. No, that's fine. 5 Q. -- employment history. 6 A. 2 -- probably around 2001 until 2011, 2012. 7 Q. And then you went to Five Star? 8 A. Yeah. Yes, I went to Five Star in 2013. I 9 also -- I always helped Roy on his jobs. It 10 was -- I was almost his assistant from 2007 to -- 11 that's nothing that I would claim on my taxes, it 12 was just that's what we did. 13 Q. Have you ever been charged with and convicted of a 14 crime of dishonesty? 15 A. Yes. 16 MR. SCOTT: Objection. 17 THE WITNESS: I'm sorry. 18 MR. SCOTT: That's all right. 19 BY MR. RASKIN: 20 Q. Can you tell me all of the crimes of dishonesty 21 which you have been convicted of within the last 22 10 years, please? 23 A. None. 24 Q. How about prior to that time? 25 MR. SCOTT: Objection.</p>

Page 33

1 You can answer.

2 A. I was convicted of a misdemeanor fraud.

3 BY MR. RASKIN:

4 **Q. When?**

5 A. 2007 or 2008. I can't be sure of the exact

6 conviction date.

7 **Q. Okay. And in what court were you convicted?**

8 A. Lorain Municipal Court.

9 **Q. Any other convictions?**

10 A. No. Well, driving under suspension. I do have

11 driving under suspension, I don't know if that's

12 what you meant.

13 **Q. It's not a crime of dishonesty, but thank you.**

14 A. Oh.

15 **Q. I saw that in the police reports, I was going to**

16 **ask you about that, but so -- so specifically in**

17 **response to the question of whether or not you've**

18 **been convicted of any crimes of dishonesty, the**

19 **only crime of dishonesty you've been convicted of**

20 **was in 2007 or '08 in Lorain Municipal Court, a**

21 **misdemeanor fraud offense; is that correct?**

22 A. Correct.

23 **Q. You did lose your driver's license; is that right?**

24 A. Yes.

25 **Q. Okay. On the date of the incident which is the**

Page 34

1 **subject matter of your complaint in March of 2017,**

2 **you didn't have a valid driver's license, did you?**

3 A. I believe I did. I carry an SR-22/Bond and it was

4 due, but I don't believe -- I believe I had a

5 license at that time.

6 **Q. Okay. I saw in the police reports that you told**

7 **one of the --**

8 A. I didn't think I had one.

9 **Q. You got to let me ask my question before you**

10 **answer. Remember, it's not a conversation,**

11 **questions and answers. Okay. And I apologize, I**

12 **didn't mean to interrupt you, but the record won't**

13 **make any sense.**

14 **All right. So as I recall, you told a**

15 **Strongsville police officer after the shooting**

16 **that both you and Roy did not have valid driver's**

17 **licenses, you both had had your licenses**

18 **suspended. Is that what you told the Strongsville**

19 **police?**

20 A. Yes.

21 **Q. But you're now telling me you believe that your**

22 **financial responsibility bond had not yet expired**

23 **on the date of -- of the shooting? Yes?**

24 A. Yes.

25 **Q. Okay. You have to --**

Page 35

1 A. Yes.

2 **Q. -- answer verbally.**

3 **Okay. And what leads you to believe that**

4 **what you told the Strongsville police officers was**

5 **incorrect?**

6 A. Because I -- I paid it and I -- I believe -- back

7 then, everything was jumbled. But when I did pay

8 my SR-22, I believe the girl said that it was

9 still instated, like there was a grace period or

10 something like that.

11 **Q. Oh, so it may have expired, but -- but you had a**

12 **certain window to --**

13 A. Yes.

14 **Q. -- go forward --**

15 A. To -- to pay. I -- I was under the impression

16 that if you did not pay it by that date it

17 expired.

18 **Q. Right.**

19 A. I thought it expired, I paid it the prior day.

20 **Q. I see.**

21 A. Yes.

22 **Q. So you paid it on, what, March 16?**

23 A. I -- I can't be sure.

24 **Q. I'm sorry. You paid it on March 6, you think?**

25 A. No, I would have paid it on, like, March 8,

Page 36

1 March 9.

2 **Q. So after the shooting?**

3 A. Prior to him passing away, yes.

4 **Q. Okay. Let's -- let's -- let's make sure that we**

5 **have an understanding of the dates. My**

6 **understanding is the incident which is the subject**

7 **matter of your lawsuit occurred on March 7.**

8 A. Yes.

9 **Q. And -- and so you think you paid it on March 8th**

10 **or 9th?**

11 A. Yes.

12 **Q. After Roy --**

13 A. Yes.

14 **Q. -- passed?**

15 A. Yes.

16 **Q. You're aware that he actually passed on the 7th,**

17 **right?**

18 A. Yes.

19 **Q. That was a yes?**

20 A. Yes.

21 **Q. Again, I'm sorry if I ask you questions that are**

22 **painful to you. If you need to take a break,**

23 **please do so, just tell us and we will, okay?**

24 **Because it ain't any fun on for any of us, least**

25 **of all you, I understand that and I'm trying to be**

Page 37	Page 39
<p>1 sensitive to that, okay?</p> <p>2 Have you now described for me all of the</p> <p>3 medical care and hospital care that you have</p> <p>4 personally received in the last 10 years --</p> <p>5 A. Yes.</p> <p>6 Q. -- whether it's for behavioral health or physical</p> <p>7 health?</p> <p>8 A. Yes.</p> <p>9 Q. What about D■■■■? Has D■■■■ received any medical</p> <p>10 care or behavioral health care in the last</p> <p>11 10 years that you haven't told me about?</p> <p>12 A. No.</p> <p>13 Q. He hasn't been hospitalized overnight for any</p> <p>14 reason?</p> <p>15 A. No.</p> <p>16 Q. No behavioral health, psychological problems which</p> <p>17 caused him to be committed?</p> <p>18 A. No.</p> <p>19 Q. Is D■■■■ -- where does he go to school?</p> <p>20 A. Gerson, the Eleanor Gerson School.</p> <p>21 Q. Is that G-e-r-s-o-n?</p> <p>22 A. Yes.</p> <p>23 Q. And you have to forgive me, but I'm not familiar</p> <p>24 with that school. Is that a public school?</p> <p>25 A. It's a school for kids that have like -- I guess,</p>	<p>1 Road in Cleveland.</p> <p>2 Q. Is it a public school operated by the Cleveland</p> <p>3 Public Schools, or is it a private school, if you</p> <p>4 know?</p> <p>5 A. I'm not -- I'm not sure.</p> <p>6 Q. Is D■■■■ in the grade that he should be in</p> <p>7 chronologically?</p> <p>8 A. No.</p> <p>9 Q. Okay. So what grade is D■■■■ in?</p> <p>10 A. D■■■■ is in ■■■■. He was held back in</p> <p>11 kindergarten.</p> <p>12 Q. You say he's in ■■■■. So we're in the</p> <p>13 summertime, so did he just complete the ■■■■</p> <p>14 grade, or is he going into ■■■■ grade?</p> <p>15 A. He's going -- he's going into the ■■■■ grade.</p> <p>16 Q. Okay. So he just completed the ■■■■ grade?</p> <p>17 A. No, I'm sorry. He didn't complete the ■■■■</p> <p>18 grade. He -- he failed last year. So he was held</p> <p>19 back in kindergarten and he did not complete the</p> <p>20 ■■■■ grade, so he'll be attending ■■■■ grade</p> <p>21 again this year.</p> <p>22 Q. If I mispronounce "Y■■■■," you feel free to</p> <p>23 correct me every time I do that because sometimes</p> <p>24 I just draw blanks at these things, so forgive me.</p> <p>25 Y■■■■ would be in the -- would have</p>
Page 38	Page 40
<p>1 like, ■■■■. It's -- it's a school for kids</p> <p>2 that need more one-on-one. You have to have an</p> <p>3 IEP.</p> <p>4 Q. So you have to have an individual educational</p> <p>5 plan?</p> <p>6 A. Yes.</p> <p>7 Q. That's --</p> <p>8 A. To attend there. I'm sorry.</p> <p>9 Q. That's all right.</p> <p>10 So you have to -- so did one of the</p> <p>11 public schools he was attending prepare an IEP for</p> <p>12 D■■■■?</p> <p>13 A. Yes.</p> <p>14 Q. And what school was that?</p> <p>15 A. Avon.</p> <p>16 Q. Avon High School?</p> <p>17 A. Middle School.</p> <p>18 Q. And was it a counselor or a psychologist or a</p> <p>19 nurse at Avon Middle School who prepared the IEP?</p> <p>20 A. I do not know who prepared it.</p> <p>21 Q. For how many years has D■■■■ been at the Eleanor</p> <p>22 Gerson School?</p> <p>23 A. Two.</p> <p>24 Q. Where is that located?</p> <p>25 A. West 117th -- no, I'm sorry. 107th and Detroit</p>	<p>1 completed the ■■■■ grade?</p> <p>2 A. Yes.</p> <p>3 Q. And she's going into ■■■■ grade?</p> <p>4 A. Yes.</p> <p>5 Q. Where does she go to school?</p> <p>6 A. Open Door Christian Academy.</p> <p>7 Q. And where is that located?</p> <p>8 A. Elyria.</p> <p>9 Q. And R■■, of course, is too young to be -- is he in</p> <p>10 ■■■■?</p> <p>11 A. No.</p> <p>12 Q. So who takes care of R■■ while you work?</p> <p>13 A. Kiddie College. I think -- I believe this year</p> <p>14 he'll be going into, like, their ■■■■ room.</p> <p>15 Q. Have you described for me all of the medical care</p> <p>16 and/or hospitalizations that either -- and</p> <p>17 behavioral health care that either Y■■■■ and R■■</p> <p>18 have experienced?</p> <p>19 A. Yes.</p> <p>20 Q. Has Y■■■■ had any mental health care at all?</p> <p>21 A. No.</p> <p>22 Q. What about R■■?</p> <p>23 A. No.</p> <p>24 Q. Has Y■■■■ been evaluated by a mental health</p> <p>25 professional or behavioral health professional?</p>

Page 41

1 A. No.
 2 **Q. Same answer for R■■?**
 3 A. Correct, no.
 4 **Q. Have either of them, other than when they were**
 5 **born, been hospitalized overnight?**
 6 A. No -- oh, I take that back. Y■■■■ had ■■■■■
 7 when she was younger. So yes, Y■■■■.
 8 **Q. Where was she hospitalized?**
 9 A. Now I can't think of the name of it. It's the one
 10 in Westlake. St. John West Shore.
 11 **Q. In what year?**
 12 A. ■■■■.
 13 **Q. When she was a baby?**
 14 A. She was a baby.
 15 **Q. Was that just one night?**
 16 A. No, she --
 17 **Q. For how long?**
 18 A. She was hospitalized a couple times there for two
 19 or three nights.
 20 **Q. Due to ■■■■■a, same condition?**
 21 A. Uh-huh.
 22 **Q. Who is Y■■■■ and R■■■ pediatrician?**
 23 A. Dr. Mona Patel.
 24 **Q. And where does Dr. Patel practice?**
 25 A. North Ridgeville.

Page 42

1 **Q. Does Dr. Patel practice in a -- within a group**
 2 **name, or is it just her practice, if you know?**
 3 A. I believe it's Westshore Primary Care.
 4 **Q. You told me you were single. Have you ever been**
 5 **married?**
 6 A. No.
 7 **Q. If I asked you that question, I apologize.**
 8 **I'm going to ask you some questions**
 9 **concerning Roy Evans Jr. How long were you and**
 10 **Roy a couple?**
 11 A. We met when we were -- when I was 16. We split
 12 up. I guess he -- we were together for 10 years.
 13 **Q. Okay.**
 14 A. So we got back -- in 2007 until 2018.
 15 **Q. Okay. So --**
 16 A. Or, I'm sorry, 2017.
 17 **Q. Okay. Let me see if I -- if I understand your**
 18 **testimony. So you met when you were 16, that**
 19 **would have been 1997?**
 20 A. '98. '98 to '99 we dated.
 21 **Q. And then you reconnected in what year?**
 22 A. 2007.
 23 **Q. And did you remain together until he passed?**
 24 A. Yes.
 25 **Q. So 2007 to 2017?**

Page 43

1 A. Correct.
 2 **Q. And did you live together for that 10 years?**
 3 A. Yes.
 4 **Q. Yes?**
 5 A. Yes.
 6 **Q. Where did you live?**
 7 A. When I -- I moved in with him, he had -- he had a
 8 small trailer, then we lived on Middle Avenue in
 9 Elyria, then we had a house for several years on
 10 Phillips Court.
 11 **Q. In Elyria?**
 12 A. In Elyria. And then Avon when he passed away.
 13 **Q. The same location in Avon where you presently**
 14 **live?**
 15 A. I live in Elyria now.
 16 **Q. You live in Elyria?**
 17 A. I moved. Yes. After he passed, I moved last
 18 September.
 19 **Q. Okay. So the address I have is -- is 812 Huron**
 20 **Road East, Suite 490, which I suspect is the**
 21 **address of this office. So can you tell me what**
 22 **your present home address is, please?**
 23 A. 370 Concord.
 24 **Q. 370.**
 25 A. Concord.

Page 44

1 **Q. Concord?**
 2 A. Elyria.
 3 **Q. And you've lived there for how long?**
 4 A. Almost a year. Since last September.
 5 **Q. So nine months, plus or minus?**
 6 A. Yes.
 7 **Q. And who lives there with you?**
 8 A. Y■■■■, R■■■, and D■■■.
 9 **Q. And prior to 370 Concord, where did you live?**
 10 A. 1606 Cypress West.
 11 **Q. And that was Avon?**
 12 A. Yes.
 13 **Q. And at that point, it was the five of you?**
 14 A. Excuse me?
 15 **Q. When you lived there, did you live there with**
 16 **Y■■■■, R■■■, D■■■, Roy, and yourself?**
 17 A. Yes, when Roy came home from prison. He was only
 18 out a few months, yes.
 19 **Q. Okay. I'm going to ask you about that in a**
 20 **minute.**
 21 A. Can I use -- can I use the restroom?
 22 **Q. Of course. Don't forget to take your mic off.**
 23 THE VIDEOGRAPHER: We're going to go off
 24 the record. The time is now 10:13:19. Off
 25 of the record.

Page 45	Page 47
<p>1 (Recess was taken.)</p> <p>2 (Whereupon, Mr. Pauley exited the</p> <p>3 conference room.)</p> <p>4 THE VIDEOGRAPHER: We're back on the</p> <p>5 record. This is the beginning of Tape No. 2.</p> <p>6 The time is now 10:22:48. On the record.</p> <p>7 BY MR. RASKIN:</p> <p>8 Q. Okay. So we've just taken a short break.</p> <p>9 By the way, may I call you Amanda?</p> <p>10 A. Yes.</p> <p>11 Q. Thank you.</p> <p>12 Your dad isn't here.</p> <p>13 MR. RASKIN: Is it okay if we resume?</p> <p>14 MR. SCOTT: Yes, it is. He'll rejoin us</p> <p>15 in a few minutes.</p> <p>16 MR. RASKIN: Okay. All right. Fine. I</p> <p>17 just didn't want to be insensitive.</p> <p>18 BY MR. RASKIN:</p> <p>19 Q. Okay. So I'd like to ask you some questions --</p> <p>20 some of the same questions actually that you've</p> <p>21 just been answering only this time with respect to</p> <p>22 Roy, okay?</p> <p>23 So you said you were 16 when you met Roy.</p> <p>24 How old was he at the time?</p> <p>25 A. Eighteen. I believe --</p>	<p>1 Q. In what year?</p> <p>2 A. Before we reunited in 2007, so I can't be sure of</p> <p>3 the year.</p> <p>4 Q. When you met Roy initially in '97 or '98, what was</p> <p>5 he doing?</p> <p>6 A. Carpet.</p> <p>7 Q. He was a carpet installer?</p> <p>8 A. He was a carpet assistant. He would prep the jobs</p> <p>9 for a man named Ron Baumhardt, I believe he had</p> <p>10 passed away. They were employed through Dewey's</p> <p>11 Carpet and Furniture.</p> <p>12 Q. Throughout Roy's adult life, when he wasn't in</p> <p>13 prison, is that how he earned a living?</p> <p>14 A. Yes.</p> <p>15 Q. And was he an independent contractor?</p> <p>16 A. Yes.</p> <p>17 Q. So he would get hired by whom to do the</p> <p>18 installation?</p> <p>19 A. He would get hired by personal people and he would</p> <p>20 also be hired through -- like one of the places he</p> <p>21 worked mainly was through Scarvelli Flooring in</p> <p>22 Avon. He worked -- he worked with Ted's Flooring</p> <p>23 in Lorain. He's worked through Budget Carpet &</p> <p>24 Tile before they shut down in Elyria. And then he</p> <p>25 did his own, he advertised as JR Carpet</p>
Page 46	Page 48
<p>1 Q. Did you go to school together?</p> <p>2 A. No.</p> <p>3 Q. Okay. Are you aware of his background? In other</p> <p>4 words, where he was born, raised, went to school,</p> <p>5 that kind of thing.</p> <p>6 A. Yes.</p> <p>7 Q. Tell me where was he born, raised and went to</p> <p>8 school.</p> <p>9 A. He was -- he was born in Lorain.</p> <p>10 (Whereupon, Mr. Pauley entered the</p> <p>11 conference room.)</p> <p>12 A. He was raised in Lorain. I believe he moved to</p> <p>13 Medina while he was younger for a short period of</p> <p>14 time, then he went to Southview and Admiral King,</p> <p>15 just the Lorain -- the local Lorain schools.</p> <p>16 Q. Okay. So he -- did he graduate from Admiral King?</p> <p>17 A. He did not graduate.</p> <p>18 Q. Okay. What was the highest grade in high school</p> <p>19 that Roy completed?</p> <p>20 A. I'm not sure.</p> <p>21 Q. But you know that he didn't graduate?</p> <p>22 A. I know he did not graduate.</p> <p>23 Q. Did Roy have any formal education after leaving</p> <p>24 high school?</p> <p>25 A. He got his GED.</p>	<p>1 Installers, and he would do his own work, too.</p> <p>2 Q. And during the years that -- after you and Roy</p> <p>3 reconnected and began living together, which I</p> <p>4 think you said was the 10-year period from 2007 to</p> <p>5 2017, other than when he was in prison, how much</p> <p>6 did he earn in a year?</p> <p>7 A. I can't be sure.</p> <p>8 Q. On average, what's your best estimate?</p> <p>9 A. I would -- I mean, I would say -- I don't know.</p> <p>10 Twenty -- it would depend if -- I'll say 25,000,</p> <p>11 that -- that'll be my estimate. I know that they</p> <p>12 would get 1099s, I believe they're called --</p> <p>13 Q. Yes.</p> <p>14 A. -- through, like, the carpet stores.</p> <p>15 Q. Right.</p> <p>16 A. So I mean, that -- like, I know when he was</p> <p>17 working for Scarvelli, I'm pretty sure he made</p> <p>18 probably a little more.</p> <p>19 Q. Was he an employee of Scarvelli?</p> <p>20 A. They're not considered employees. They're</p> <p>21 independent contractors, but Scarvelli would get</p> <p>22 them work.</p> <p>23 Q. Right.</p> <p>24 A. Yes.</p> <p>25 Q. Okay. So -- so he would get 1099s?</p>

Page 49	Page 51
<p>1 A. Yes.</p> <p>2 Q. And -- and your best estimate is that on</p> <p>3 average -- some years might be higher, some years</p> <p>4 might be lower -- but on average, Roy would have</p> <p>5 earned \$25,000 per year each year during the 10</p> <p>6 years that you lived together between 2010 and</p> <p>7 2017; is that correct?</p> <p>8 A. Yes.</p> <p>9 Q. Did you and Roy file joint tax returns or were --</p> <p>10 were they individual returns?</p> <p>11 A. Individual.</p> <p>12 Q. Following his death -- strike that. Do you have</p> <p>13 access to -- to the copies of his tax returns in</p> <p>14 the years preceding his death?</p> <p>15 A. I do not.</p> <p>16 Q. Who does?</p> <p>17 A. I don't believe he filed taxes all the time. I --</p> <p>18 I know that he did at times, but I don't believe</p> <p>19 he filed too many taxes.</p> <p>20 Q. So in spite of get --</p> <p>21 A. Yes, in -- I'm sorry.</p> <p>22 Q. No, that's okay.</p> <p>23 So in spite of receiving 1099s, Roy</p> <p>24 didn't file taxes? He didn't file income tax</p> <p>25 returns?</p>	<p>1 those forms, I don't know.</p> <p>2 Q. Okay. But you -- do you have a specific</p> <p>3 recollection of taking him with you to H&R</p> <p>4 Block --</p> <p>5 A. Yes.</p> <p>6 Q. -- a couple of times?</p> <p>7 A. Yes.</p> <p>8 Q. And then that --</p> <p>9 A. Yes, that -- that's how I know that he filed those</p> <p>10 years.</p> <p>11 Q. Well, actually, you really don't know that he</p> <p>12 filed those years, do you, as opposed to going</p> <p>13 with you to H&R Block?</p> <p>14 A. No. I remember he seen the lady I seen, so I know</p> <p>15 for a fact that he filed -- I cannot -- I want to</p> <p>16 say -- I'll say I know for a fact he filed at</p> <p>17 least once, I think it was twice, and I only can</p> <p>18 say that because it was through my lady. Any</p> <p>19 other time, like, I would go by myself and file my</p> <p>20 taxes, so --</p> <p>21 Q. When you say go by yourself and file your taxes,</p> <p>22 by that do you mean that you would have H&R Block</p> <p>23 file them for you?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. And so when you say that you know that he</p>
Page 50	Page 52
<p>1 A. Not all the time.</p> <p>2 Q. Can you tell me -- in the 10-year period that the</p> <p>3 two of you lived together, can you remember any</p> <p>4 year in which Roy filed a federal tax return?</p> <p>5 A. He filed through H&R Block a few times.</p> <p>6 Q. So a few times -- again, in your mind, you know</p> <p>7 what -- what you mean by that, help me to</p> <p>8 understand. Is that once or twice or four or five</p> <p>9 times?</p> <p>10 A. I would say about twice.</p> <p>11 Q. Twice. So twice in 10 years he had H&R Block</p> <p>12 complete tax returns for him?</p> <p>13 A. Yes.</p> <p>14 Q. Was the IRS pursuing Roy at the time of his death?</p> <p>15 A. I do not know.</p> <p>16 Q. Would that likewise -- would your answer be the</p> <p>17 same regarding Roy filing Ohio tax returns and any</p> <p>18 city tax returns that Avon might require or any</p> <p>19 other city in which he lived?</p> <p>20 A. To my guess, I don't -- the only time I know that</p> <p>21 he filed tax returns is when I took him to H&R</p> <p>22 Block with me. Now, I know that his parents would</p> <p>23 always file taxes. I don't know if he would go</p> <p>24 with them. I'm not -- like, I'm not real clear on</p> <p>25 when he did and what he did. And what he did with</p>	<p>1 filed once and maybe twice in the 10 years that</p> <p>2 you all lived together, that's because he -- you</p> <p>3 know he asked H&R Block to file tax returns for</p> <p>4 him when he accompanied you?</p> <p>5 A. Correct.</p> <p>6 Q. Okay. I just want to make sure I understand your</p> <p>7 testimony.</p> <p>8 Had Roy been married at any time?</p> <p>9 A. Yes.</p> <p>10 Q. To whom and when?</p> <p>11 A. Her name was Jessica, and I believe he got married</p> <p>12 November of '99.</p> <p>13 Q. Do you know Jessica's last name?</p> <p>14 A. Evans. I don't know if she changed it or not,</p> <p>15 but that's --</p> <p>16 Q. Okay. But she took his name when they married as</p> <p>17 far as you know?</p> <p>18 A. She took his -- yes.</p> <p>19 Q. And you say they were married in 1999?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And were they divorced?</p> <p>22 A. They were.</p> <p>23 Q. And when did they divorce? Do you know?</p> <p>24 A. They did not formally divorce until 2009.</p> <p>25 Q. But, clearly, he was living separate and apart</p>

Page 53

1 **from her because he was living with you?**

2 A. Yeah, yeah. They had been done -- they never even

3 spoke. They had actually -- I don't even believe

4 she lived in the state. She had contacted his

5 mother and then, you know, they went and filed for

6 the divorce and just got it done with.

7 **Q. So do you know where Jessica Evans resides?**

8 A. I have no idea. The last I heard was Michigan.

9 **Q. Do you know where in Michigan?**

10 A. Absolutely not.

11 **Q. And her contact was through Roy's mother?**

12 A. Yes. She always had the same phone number.

13 **Q. And did Roy and Jessica have children?**

14 A. No.

15 **Q. Did Roy have any children other than Y [REDACTED] and**

16 **R [REDACTED]?**

17 A. Yes.

18 **Q. Okay. What are the names and ages of those**

19 **children, please?**

20 A. D [REDACTED], with a "D" -- not [REDACTED], D [REDACTED] -- D [REDACTED]

21 T [REDACTED], his birthday was [REDACTED] 4; and

22 J [REDACTED] E [REDACTED], his birthday is [REDACTED].

23 **Q. And do you know the identity of D [REDACTED] T [REDACTED]**

24 **mother?**

25 A. Do I what?

Page 54

1 **Q. The identity of D [REDACTED] T [REDACTED] mother?**

2 A. Yes.

3 **Q. What is her name?**

4 A. Jennifer Taylor.

5 **Q. And where does Jennifer live?**

6 A. Erie Street in Elyria.

7 **Q. And J [REDACTED] E [REDACTED], what is the identity of his**

8 **mother?**

9 A. Crystal Tummel.

10 **Q. And could you spell her last name?**

11 A. T-u-m-m-e-l.

12 **Q. And where does -- do you know where Crystal**

13 **resides?**

14 A. I do not.

15 **Q. Do you know if she -- do you know what town she**

16 **lives in?**

17 A. I do not. The last I heard -- Roy's mother would

18 know. She had moved from -- she was living in

19 Columbus when Roy passed. She moved up here and

20 was staying with family in Lorain until she got

21 her own place. Now, whether or not she got her

22 own place, I'm not 100 percent sure. So she is in

23 Lorain County right now, though.

24 **Q. She is in Lorain County?**

25 A. She is in Lorain County right now, but I couldn't

Page 55

1 give you an address.

2 **Q. Okay. Can you give me a city? Is she in Lorain?**

3 **Elyria?**

4 A. Lorain -- Lorain or Elyria would be my guess.

5 She -- she was with her mother.

6 **Q. Do -- do you know both of these women?**

7 A. Yes.

8 **Q. Are you acquainted with them apart from the fact**

9 **that they are the mother of Roy's other children?**

10 A. Me and Jennifer are friends.

11 **Q. Okay. So Roy had an affair with Crystal while he**

12 **was living with you?**

13 A. Correct.

14 **Q. Did Roy see either D [REDACTED] or J [REDACTED] regularly?**

15 A. He seen D [REDACTED] all the time. He didn't see J [REDACTED].

16 **Q. And when you say he saw D [REDACTED] all the time, again**

17 **you know what that means in your brain, but**

18 **I don't.**

19 A. I'm sorry. He seen -- he seen D [REDACTED] on a daily

20 basis.

21 **Q. On a daily basis?**

22 A. On a daily basis.

23 **Q. How would he -- did D [REDACTED] live with you all?**

24 A. D [REDACTED] did not live with us. He resided with his

25 mother, but we would pick D [REDACTED] up all the time,

Page 56

1 his mother would pick him up and, you know, bring

2 him to our house. He stayed every weekend with

3 us. In the summer, he would -- stayed every

4 summer with us.

5 **Q. And, of course, that was probably easier because**

6 **you and Jennifer are friends.**

7 A. Yes, yes.

8 **Q. Was there a child support order that Roy had to**

9 **support D [REDACTED] and J [REDACTED]?**

10 A. Yes.

11 **Q. And what court entered those orders?**

12 A. Lorain County.

13 **Q. And was Roy current in paying his child support --**

14 **A. No.**

15 **Q. -- according to the court order?**

16 A. No.

17 **Q. Did he pay any child support?**

18 A. I mean, he would pay -- I mean, I'm assuming he

19 paid at some point, so sometimes.

20 **Q. I don't want you to ask --**

21 A. I don't know.

22 **Q. I'm sorry. Forgive me, that was my fault. I**

23 **apologize. I don't want you to assume.**

24 **If you're aware that Roy paid child**

25 **support, please tell me that. And if you don't**

Page 57	Page 59
<p>1 know, you can tell me you don't know.</p> <p>2 A. I don't know.</p> <p>3 Q. And so I'm clear, Roy didn't marry either Jennifer</p> <p>4 or Crystal --</p> <p>5 A. Correct.</p> <p>6 Q. -- is that correct?</p> <p>7 A. Yes.</p> <p>8 Q. Roy was, in fact, convicted of crimes of</p> <p>9 dishonesty, wasn't he?</p> <p>10 A. Of dishonesty?</p> <p>11 Q. Yes.</p> <p>12 A. I'm not aware of that.</p> <p>13 Q. Okay. What caused him to go to prison?</p> <p>14 A. Felonious assault.</p> <p>15 Q. So at least in your mind felonious assault</p> <p>16 wouldn't be a crime of dishonesty?</p> <p>17 A. No, that would be a crime of fighting.</p> <p>18 Q. And let me be more -- a little broader in my</p> <p>19 question, and -- but let me first ask you -- and</p> <p>20 I'm not asking you to be a lawyer now, but I just</p> <p>21 need to understand what your thought process is.</p> <p>22 So when you hear a question which asks whether or</p> <p>23 not a person has been convicted of a crime of</p> <p>24 dishonesty, what definition do you use for that</p> <p>25 terminology in your brain?</p>	<p>1 convicted of apart from the 2007 felonious assault</p> <p>2 and the 2014 felonious assault?</p> <p>3 A. No.</p> <p>4 Q. How long was he in prison for the 2014 felonious</p> <p>5 assault?</p> <p>6 A. Two years.</p> <p>7 Q. And was he at Lorain Correctional?</p> <p>8 A. No, he was at Mansfield.</p> <p>9 Q. And what about the 2007 felonious assault? How</p> <p>10 long was he in prison?</p> <p>11 A. I can't be sure.</p> <p>12 Q. Okay.</p> <p>13 A. I didn't speak to him prior to it, so I can't be</p> <p>14 sure.</p> <p>15 Q. Okay. Do you know where he was incarcerated then?</p> <p>16 A. From my understanding, Richland and Lebanon.</p> <p>17 Q. And your understanding is based on what Roy told</p> <p>18 you?</p> <p>19 A. Yes, yes.</p> <p>20 Q. Okay. And so other than his incarceration in</p> <p>21 Mansfield, Richland, and Lebanon, any other</p> <p>22 incarcerations that you're aware of?</p> <p>23 A. Lots of traffic stops. You know, he would go to</p> <p>24 jail for not paying his child support, stuff like</p> <p>25 that. But no, he -- those are the only prison</p>
Page 58	Page 60
<p>1 A. I would just assume lying, stealing, theft. To</p> <p>2 me, that would be dishonest.</p> <p>3 Q. Okay. All right. So you're aware that Roy had</p> <p>4 criminal convictions, correct?</p> <p>5 A. Yes.</p> <p>6 Q. How many convictions did he have?</p> <p>7 A. I don't know.</p> <p>8 Q. Okay. All right. You know of some of them</p> <p>9 though, right?</p> <p>10 A. Yes.</p> <p>11 Q. Why don't you tell me about each criminal</p> <p>12 conviction for Roy that you are aware of.</p> <p>13 A. In 2014, he went to prison for felonious assault.</p> <p>14 And when me and him reunited in 2007, he had just</p> <p>15 gotten out of prison for felonious assault.</p> <p>16 Q. And was he sentenced in both of those instances by</p> <p>17 the court in Lorain County?</p> <p>18 A. Yes.</p> <p>19 Q. So they were Lorain County convictions?</p> <p>20 A. Yes.</p> <p>21 Q. Are you aware of any convictions for crimes that</p> <p>22 Roy committed in any county other than Lorain</p> <p>23 County?</p> <p>24 A. No.</p> <p>25 Q. Are you aware of any other crimes that Roy was</p>	<p>1 convictions that I know of.</p> <p>2 Q. So from time to time, he would be arrested because</p> <p>3 of his child support arrearages?</p> <p>4 A. Uh-huh.</p> <p>5 Q. Was he arrested for DUS?</p> <p>6 A. I know he's gotten plenty of DUSs, but I can't</p> <p>7 recall if he was actually arrested for those.</p> <p>8 Q. Any other criminal activity beyond unpaid child</p> <p>9 support and DUS and the two felonious assaults</p> <p>10 you've told me about?</p> <p>11 A. He had gotten a child endangerment in Avon. He</p> <p>12 ran inside Scarvelli Floors and got a paycheck and</p> <p>13 my daughter was sleeping in the car and, I guess,</p> <p>14 he couldn't run in the store -- or run and get his</p> <p>15 paycheck.</p> <p>16 Q. Was that -- you say that happened in Avon, did</p> <p>17 that -- was that Avon Municipal Court or was that</p> <p>18 a child endangerment charge by the Avon Police?</p> <p>19 A. I can't be sure.</p> <p>20 Q. Okay. Do you know when that was?</p> <p>21 A. Probably like 2013.</p> <p>22 Q. And which of your children did that involve?</p> <p>23 A. Y[REDACTED].</p> <p>24 Q. Did Y[REDACTED] suffer any injuries as a result?</p> <p>25 A. No, she was sleeping.</p>

Page 61

1 **Q. He just left her in the car and that's why?**
 2 A. Yes. She was sleeping, so he went and got his
 3 paycheck.
 4 **Q. By the time this is over, I'm going to remember**
 5 **how to spell her name.**
 6 **Do you know the facts of either of the**
 7 **felonious assaults? Do you know what happened?**
 8 A. Yes.
 9 **Q. Okay. Tell me about the 2014 felonious assault.**
 10 **What was involved in that, please?**
 11 A. He was -- it was New Year's Eve. I had dropped
 12 our friend off at a house. I was pregnant, I fell
 13 asleep. He went to go pick the friend up from the
 14 house not aware that a fight had broke out prior
 15 to him getting there. So when he arrived and went
 16 to go to the door to get the friend, he was
 17 attacked and he was choked to the point of passing
 18 out. And he had a switchblade on him, and he
 19 stabbed the man.
 20 **Q. And what about the 2007 felonious assault?**
 21 A. I can't be sure.
 22 **Q. Can't be sure of that?**
 23 A. No.
 24 **Q. Well, what did Roy tell you happened?**
 25 A. That there was a whole bunch of guys that tried to

Page 62

1 jump him and he got in a car because, obviously,
 2 they outnumbered him. And when he drove -- like,
 3 they tried to block the roadway, so when he -- he
 4 drove straight, he went up into one of the guys.
 5 **Q. So it was felonious assault with the use of a**
 6 **vehicle?**
 7 A. I can't be sure.
 8 **Q. Right. As he described it to you --**
 9 A. Yes, yes, that's how he described it.
 10 **Q. -- he used the car --**
 11 A. Yes.
 12 **Q. -- to assault a pedestrian?**
 13 A. Yes.
 14 **Q. Did you talk to Roy about these events, the -- the**
 15 **stabbing and the use of the car to assault a**
 16 **pedestrian? I mean, did he tell you what he was**
 17 **thinking, why he did what he did?**
 18 A. Not the prior case. Like I said, we wasn't
 19 together when that happened. In the 2007, yes.
 20 He said that he was scared for his life. He said,
 21 "I was attacked. I wasn't prepared. I had no
 22 idea going into this place that there was even any
 23 fighting going on," and he was attacked.
 24 **Q. And that's when he used the knife?**
 25 A. And he reacted.

Page 63

1 **Q. Roy knew that -- that using a car to assault a**
 2 **pedestrian was -- was wrong, didn't he?**
 3 MR. SCOTT: Objection.
 4 You can answer.
 5 A. I -- I mean, I -- I can't answer what Roy knew and
 6 what he felt back then because we wasn't --
 7 BY MR. RASKIN:
 8 **Q. I'm asking what -- I apologize. That's a fair**
 9 **response to my question because it was a bad**
 10 **question.**
 11 **Did Roy ever tell you that -- that he**
 12 **knew that using a car to assault a pedestrian**
 13 **was -- was wrong?**
 14 A. No, but we didn't really talk too much about how
 15 the case came about. He was -- when we got
 16 together, he was on parole. I mean, he just
 17 mentioned -- there wasn't lengthy conversations on
 18 why or the events or what happened leading up to
 19 it.
 20 **Q. Was Roy's parole ever violated?**
 21 A. Yes.
 22 **Q. Who was Roy's parole officer?**
 23 A. I don't know her name. Not -- I'm sorry. Let me
 24 rephrase that. His parole was violated in the
 25 earlier case, not in the later case.

Page 64

1 **Q. Okay. So since getting out of prison in -- so**
 2 **that would have been -- he would have gotten out**
 3 **of prison in 2016?**
 4 A. September 28, 2016.
 5 **Q. And he -- was he still on parole at the time of**
 6 **his passing?**
 7 A. Yes.
 8 **Q. And you don't know the name of his parole officer?**
 9 A. I cannot recall. I'm sorry.
 10 **Q. That's okay.**
 11 **And it's your testimony that since his**
 12 **release from prison in September of 2016 he was**
 13 **not violated?**
 14 A. No.
 15 **Q. He maintained the conditions of his parole?**
 16 A. Correct.
 17 **Q. In the 10 years preceding his death that you know**
 18 **about when he wasn't in prison, was Roy ever**
 19 **hospitalized overnight?**
 20 A. Yes.
 21 **Q. How many times?**
 22 A. A few times.
 23 **Q. Do you recall the events which led up to each**
 24 **hospitalization?**
 25 A. Yes.

Page 65

Page 67

1 **Q. Okay.**

2 A. Two of the hospitalizations was due to his [REDACTED]
3 [REDACTED], he has -- he had severe [REDACTED].

4 **Q. Okay. So let's -- so that I can follow along**
5 **chronologically -- because you're younger than me**
6 **and my brain cells don't work quite that fast. So**
7 **let's start with -- if you would please, with the**
8 **hospitalization most recent in time prior to his**
9 **death. When was that and where was it?**

10 A. January 1, 2016.

11 **Q. Okay.**

12 A. He was hospitalized -- he wound up with an
13 [REDACTED] and it was making his body
14 go [REDACTED], and he was in the hospital for about
15 five days.

16 **Q. So he had [REDACTED]?**

17 A. Yes.

18 **Q. Okay. And where was he hospitalized?**

19 A. Elyria.

20 **Q. Elyria Memorial?**

21 A. Yes.

22 **Q. And you say it was about five days?**

23 A. Yes.

24 **Q. Okay. And -- so no hospitalizations closer in**
25 **time to his death than January of 2015 --**

Page 66

1 A. Correct.

2 **Q. -- correct?**

3 **All right. When is the next most recent**
4 **hospitalization?**

5 A. 2014.

6 **Q. Do you know what month?**

7 A. I would say September or October of 2014.

8 **Q. Okay. Why?**

9 A. His [REDACTED].

10 **Q. Did Roy have [REDACTED]**
11 **[REDACTED] because of the [REDACTED]?**

12 A. He did -- he did not have surgery. He was
13 hospitalized for about a week, but, no, he did not
14 have surgery, and he was put on a lot of
15 medication.

16 **Q. Okay. Was that also at Elyria?**

17 A. Yes.

18 **Q. Okay. And how about the next most recent**
19 **occasion?**

20 A. He was hospitalized at Lorain Community Hospital
21 for a [REDACTED] condition.

22 **Q. Lorain Community Hospital, I'm not familiar with**
23 **that one. Is that in the City of Lorain?**

24 A. Yes.

25 **Q. Is that the old St. Joe's?**

1 A. No, no, it's not. It's over more -- more down
2 like close to Kolbe Road.

3 **Q. Is it the Health Partners?**

4 A. It might be on Kolbe Road.

5 Yeah, Mercy Health Partners. It used to
6 be Lorain Community.

7 **Q. I represent the city, so I know most of the**
8 **hospitals, which is why --**

9 A. That's all right.

10 **Q. But I must have started after it became Mercy.**

11 A. Mercy.

12 **Q. St. Joe's is on Broadway?**

13 A. Yes.

14 **Q. Okay. All right. And -- and that was for a**
15 **[REDACTED], you said?**

16 A. Yes.

17 **Q. And when was that, please?**

18 A. That would have been December of -- December of
19 2013, I want to say.

20 **Q. And what was the [REDACTED] which**
21 **caused him to be hospitalized?**

22 A. I'm not exactly sure. He was very [REDACTED]
23 couldn't sleep. He -- he went to The Nord Center
24 because --

25 **Q. He was treating at The Nord Center?**

Page 68

1 A. He went to The Nord Center. I -- I -- I told him,
2 you know, the [REDACTED] and the [REDACTED],
3 it's not normal. I got him to go down there like
4 for an emergency thing. And when they spoke to
5 him, they were concerned and they pink-slipped him
6 and he went to Mercy for like three -- three days
7 or five days and then he came home.

8 **Q. So did he also then go to The Nord Center in**
9 **December of 2013?**

10 A. He went there a couple of times, I believe, like
11 just to speak with somebody, I think. I can't be
12 sure of The Nord Center. I do remember his
13 hospitalization, though.

14 **Q. Well, at least one time you know he went to The**
15 **Nord Center and then --**

16 A. They hospitalized him.

17 **Q. -- you say "pink" -- "pink-slipped," you mean he**
18 **was involuntarily committed?**

19 A. He was involuntarily committed, yes.

20 **Q. And -- and one followed immediately after the**
21 **next, right? He went to The Nord Center, he was**
22 **assessed, involuntarily committed, and sent to**
23 **Mercy Health --**

24 A. Correct.

25 **Q. -- Center?**

1 A. Correct.
 2 **Q. So that would have also been in December of 2013?**
 3 A. Yes.
 4 **Q. Any other hospitalizations?**
 5 A. Yes, one prior to that. Mercy Hospital for his
 6 [REDACTED].
 7 **Q. In what year?**
 8 A. 2007 or 2008.
 9 **Q. Was Roy treating with a [REDACTED]**
 10 **professional?**
 11 A. Not when he came home, no.
 12 **Q. Was Roy prescribed any -- any [REDACTED]**
 13 **medication?**
 14 A. Yes.
 15 **Q. Okay. Who was -- who was the prescriber?**
 16 A. Prior to him going to prison, I believe it was
 17 The Nord Center.
 18 **Q. Okay.**
 19 A. When he came home from prison, he came with some
 20 medication in a prescription from -- I don't know.
 21 **Q. The State doctor?**
 22 A. From the State, yes.
 23 **Q. And what was he taking?**
 24 A. [REDACTED].
 25 **Q. Do you know the dosage?**

1 A. I can't be sure.
 2 **Q. So he is released, I think you told me on**
 3 **September --**
 4 A. September 28.
 5 **Q. -- 28, 2016?**
 6 A. Yes.
 7 **Q. So is he taking [REDACTED] at least since 2014?**
 8 A. Yes.
 9 **Q. Before that?**
 10 A. He started it prior to being incarcerated and he
 11 continued to take the -- the medication for the
 12 two years he was incarcerated.
 13 **Q. Okay. And then he comes out and he comes out with**
 14 **some medication remaining on his script, correct?**
 15 A. Yes.
 16 **Q. On September 28, 2016. And does he finish that**
 17 **prescription?**
 18 A. I can't be sure if he finished that prescription
 19 or refilled one. I know that I destroyed medicine
 20 personally after he passed, like I flushed them.
 21 I don't know if he filled another prescription.
 22 **Q. Okay. I asked a bad question. I apologize. Let**
 23 **me withdraw that.**
 24 **When he came out of prison, he had**
 25 **[REDACTED] pills left?**

1 A. Yes.
 2 **Q. Did he take all of those pills?**
 3 A. That's what I mean, I don't know if he finished
 4 that prescription and filled another one or those
 5 were still --
 6 **Q. Do you know who -- do you know who the prescribing**
 7 **doctor would have been --**
 8 A. The State gave him the --
 9 **Q. -- once he got out?**
 10 A. -- prescription.
 11 **Q. The State gave him the prescription.**
 12 **Okay. As best as you can recall, when**
 13 **was the last time prior to his death that Roy was**
 14 **regularly taking [REDACTED]?**
 15 A. He took it, I would say, up until about --
 16 sometime in February I think he quit.
 17 **Q. Did he stop taking the [REDACTED] because a**
 18 **physician or a [REDACTED] professional told**
 19 **him he didn't need it anymore?**
 20 A. No.
 21 **Q. He just stopped?**
 22 A. He just stopped.
 23 **Q. Do you understand what type of condition -- strike**
 24 **that. Do you understand the -- strike that. Are**
 25 **you aware of the symptoms that the [REDACTED] was**

1 **intended to control?**
 2 A. I would assume his [REDACTED].
 3 **Q. [REDACTED]?**
 4 A. He had -- he was almost like hyper, like not able
 5 to concentrate. And I -- I can only say this
 6 because I know Roy from how he was acting until
 7 when he wouldn't take his medication, how he would
 8 act.
 9 **Q. Okay. So that's probably a better --**
 10 A. In my opinion.
 11 **Q. So -- okay. So I'm -- I'm not really looking for**
 12 **your opinion, but what I am looking for is your**
 13 **observations, okay? And you just gave me a better**
 14 **question to ask. I apologize for that. Thank you**
 15 **actually.**
 16 **So can you describe for me how Roy would**
 17 **act when he was taking the [REDACTED] as opposed to**
 18 **after he stopped taking it?**
 19 A. He -- when he was taking it when he was
 20 incarcerated, because that's when they started, he
 21 just seemed like he had his thought patterns more
 22 together -- like he knew he wanted to come home,
 23 he knew he wanted to work -- to where, when I
 24 started observing in February, him being restless,
 25 not -- very restless, like not having his thought

Page 73

1 pattern as --

2 **Q. So he didn't have clear thinking?**

3 A. Correct. And he wouldn't be able to sleep.

4 **Q. And while he was taking it, he slept fine?**

5 A. Yes.

6 **Q. I mean, that's a hard job, I would think he'd come**

7 **home tired.**

8 A. You would think.

9 **Q. Is that true?**

10 A. I mean, he would come home tired from work, yes.

11 Yes.

12 **Q. How about [REDACTED]? Did he experience any**

13 **[REDACTED] when he went off the meds?**

14 A. He -- he did, this was my experience in the past.

15 Whether or not he was having [REDACTED] after he

16 left prison, I can't say yes or no because I -- I

17 didn't observe the [REDACTED]. But whether or not

18 he felt it or not, I -- I can't be sure.

19 **Q. But you observed it when he was off the meds in**

20 **the past?**

21 A. Before he got put on the meds in the past, yes.

22 **Q. And when you say you observed [REDACTED], tell me**

23 **what you actually saw or heard, please.**

24 A. Him thinking people are out to get him, and he --

25 he would think people were out to get him, look --

Page 74

1 like we'd be sitting on the front porch just

2 drinking coffee and "That car drove by five

3 times," and I wouldn't see it, or, you know,

4 "Don't let that person see me." Just -- he would

5 be very paranoid.

6 **Q. Any other signs or symptoms that you observed in**

7 **Roy when he was off his medication, not taking**

8 **Risperdal?**

9 A. No.

10 **Q. Was he prescribed any mood-altering medication**

11 **other than [REDACTED]?**

12 A. I don't believe so.

13 **Q. In any event, you didn't see him take any of it?**

14 A. I've never seen him bring a prescription home, and

15 I've never seen him take another one besides the

16 [REDACTED].

17 **Q. Have you now described for me all of the -- well,**

18 **strike that. Other than treating at The Nord**

19 **Center and his involuntary commitment, any other**

20 **[REDACTED] or [REDACTED] treatment that**

21 **Roy had that you're aware of in the 10 years**

22 **preceding his death?**

23 A. No.

24 **Q. And the only -- the only place he treated for his**

25 **[REDACTED] issues was either The Nord Center or**

Page 75

1 **Mercy Health Partners when he was committed; is**

2 **that correct?**

3 A. Yes.

4 **Q. Okay. Do you need a break, or are you okay to**

5 **keep going?**

6 A. We can keep going.

7 **Q. Let's talk about then the events of March 7, 2017,**

8 **if we can. Now, this happened in the early**

9 **morning hours of March 7, right?**

10 A. Yes.

11 **Q. Okay. So tell me what you and Roy did during the**

12 **24 hours that ended at midnight March 2016.**

13 A. Got up that morning and we drank coffee and I left

14 to work. I returned home from work around maybe

15 5:30, so we wasn't together. In the meantime,

16 while I'm at work, Roy had told me he had this

17 carpet job to do, this carpet job to do, and he

18 had -- he was just messaging about work and having

19 to do this and having to go there. But, you know,

20 like -- it wasn't like he was following a pattern,

21 I guess. So when I came home, I changed my

22 clothes. Roy was not home, he had my kids --

23 well, he had Y [REDACTED] -- Y [REDACTED] and R [REDACTED] with him. I

24 don't -- I can't remember if he had D [REDACTED]. And he

25 came home and he said, "Will you help me do this

Page 76

1 carpet job?" I agreed because he needed help and

2 he was becoming unorganized again.

3 **Q. Because he was off his meds?**

4 A. That would be my guess.

5 **Q. Well, based on your observations.**

6 A. My observation that -- that is why I believed he

7 was becoming unorganized and --

8 **Q. And tell me what you mean when you say**

9 **"unorganized."**

10 A. He -- he couldn't keep track of everything that he

11 had to do. Like it wouldn't be like step one

12 first, step two, step three. It was all this just

13 jumbled on a paper and "I just have to get all of

14 it done."

15 **Q. So his thought process wasn't clear?**

16 A. Correct.

17 So we -- we left.

18 **Q. So -- now, let me just ask you about that. So**

19 **what time -- I mean, it struck me as a little**

20 **unusual, maybe I just don't understand the**

21 **business. But what time did you leave to do the**

22 **carpet install? I think it was in Akron.**

23 A. No, it was in Brunswick.

24 **Q. In Brunswick?**

25 A. It was in Brunswick.

Page 77	Page 79
<p>1 Q. Okay. For some reason, I thought it was somewhere 2 in Akron. 3 And who gave him that job? What -- 4 A. The personal person. 5 Q. Oh, so it was somebody who responded to an ad or 6 something? 7 A. Yes. 8 Q. And what were the names? 9 A. I can't recall. 10 Q. Okay. All right. But the -- but someone, a 11 couple, somebody -- 12 A. It was -- it was an older couple in Brunswick had 13 responded. And the reason it was so late was they 14 needed the job done and they couldn't get it done 15 in the daytime hours the next day because they had 16 some appointments, but they wanted it done. 17 Q. Okay. So what time did -- did you all arrive in 18 Brunswick? 19 A. Late. I mean, I understand -- I -- I thought it 20 was a little later. Probably around maybe 8:30, 21 9:00, maybe a little later. I can't give you a 22 definite time. 23 Q. So somewhere between 8:30 and 9:30? 24 A. Yeah. Yes. 25 Q. And why did you take the kids?</p>	<p>1 A. From what I -- I understand, he was pulled over 2 the same -- March 6 in the morning. I wasn't with 3 him, I was at work, but I believe there was a 4 ticket or something. He got a driving under 5 suspension by a lady cop in Lorain. 6 Q. Okay. So are you aware that he actually went to 7 municipal court in -- in Avon, to mayor's court? 8 A. I do know what you're talking about, you just 9 reminded me. Yes, I am aware of that, too. 10 Q. Okay. And when was that? 11 A. I can't give you a date. 12 Q. If -- if I told you that it was in -- within a 13 month or so -- 14 A. I would agree. 15 Q. -- of his death, does that help to refresh your 16 memory even though you can't remember the specific 17 date? 18 A. Yes. Yes, I agree. 19 Q. So within a month or so of Roy's death he was 20 cited for driving under suspension? 21 A. Yes. 22 Q. In Avon? 23 A. Yes. 24 Q. And he went to court? 25 A. Yes.</p>
Page 78	Page 80
<p>1 A. Because they always -- well, prior to Roy -- 2 because my kids always did carpet with him, they 3 always helped. Y█████ was a little bit younger 4 when he went to prison, but D█████ and D█████ 5 always helped him. And he was -- he was taking 6 D█████ because he was actually going to start to 7 teach D█████ the trade of how to do it. And then 8 Y█████, she just -- she always wanted to go and, 9 obviously, they would have to go with me if I'm 10 going. 11 Q. Was that a school night, by the way? 12 A. Yes. 13 Q. So how long did the carpet job take? 14 A. Longer than expected. A few hours. We were there 15 a few hours. 16 Q. So what is your best estimate of the time that the 17 job was completed and you left? 18 A. We left after two in the morning. 19 Q. I'm sorry? 20 A. After two in the morning, I believe we left. 21 Q. Let me digress for just a minute. It's my 22 understanding, but please correct me if I'm wrong, 23 that approximately -- that within 30 days or so of 24 March 7 Roy had been stopped and cited for driving 25 under suspension; is that right?</p>	<p>1 Q. And he wasn't put in jail, was he? 2 A. No. 3 Q. He was actually -- had to pay a fine, right? 4 A. Well, I'm assuming you have to pay a fine. I do 5 know he went to court, but I was at work and -- 6 Q. Well, what you do know is he didn't go to jail. 7 A. He did not go to jail. 8 Q. Whatever the resolution was, he was free to leave 9 after he appeared in -- 10 A. Yes. 11 Q. -- in municipal court in Avon? 12 A. Yes. 13 Q. For the driving under suspension offense -- 14 A. Correct. 15 Q. -- right? 16 And then you're saying the day before 17 March 7, he was cited yet again for driving under 18 suspension by Lorain PD? 19 A. Yes. 20 Q. Did that citation -- if you know, did -- did Roy 21 report his driving under suspension citation to 22 his parole officer? 23 A. I do not know. 24 Q. In any event, you do know that Roy never went to 25 jail for the driving under suspension conviction</p>

Page 81	Page 83
<p>1 in Avon, don't you?</p> <p>2 A. Right.</p> <p>3 Q. Did he tell you he was surprised by that?</p> <p>4 A. No.</p> <p>5 Q. It didn't surprise him at all that he -- that he</p> <p>6 didn't go to jail?</p> <p>7 MR. SCOTT: Objection.</p> <p>8 You can answer if you know.</p> <p>9 A. He never said anything to me, so --</p> <p>10 BY MR. RASKIN:</p> <p>11 Q. And then on March 6, he was cited by LPD for</p> <p>12 driving under suspension?</p> <p>13 A. Yes.</p> <p>14 Q. And I assume that court date was some point in the</p> <p>15 future after he passed?</p> <p>16 A. Yes.</p> <p>17 Q. All right. So you leave Brunswick at 2:00 a.m.</p> <p>18 and are -- with -- with Roy and the kids in the</p> <p>19 car?</p> <p>20 A. Yes.</p> <p>21 Q. By the way, were there any rear seats in --</p> <p>22 A. No.</p> <p>23 Q. Okay. And it really wasn't a car, it was a</p> <p>24 conversion van, wasn't it?</p> <p>25 A. Yes.</p>	<p>1 identification purposes as Exhibit A -- you see</p> <p>2 the blue sticker?</p> <p>3 A. Yes.</p> <p>4 Q. Yes?</p> <p>5 So can you identify for me -- just pull</p> <p>6 out --</p> <p>7 A. Okay.</p> <p>8 Q. -- any -- any xerographic reproductions of the</p> <p>9 conversion van in which you were driving with Roy</p> <p>10 and the kids on March 7, 2017. They may be</p> <p>11 towards the back. There -- there is no particular</p> <p>12 order to this exhibit.</p> <p>13 MR. SCOTT: Can we go off the record for</p> <p>14 just a second?</p> <p>15 MR. RASKIN: Uh-huh.</p> <p>16 MR. SCOTT: It's a --</p> <p>17 THE VIDEOGRAPHER: Off the record. The</p> <p>18 time is now 11:16:23. Off the record.</p> <p>19 (Discussion off the record.)</p> <p>20 THE VIDEOGRAPHER: We're back on the</p> <p>21 record. The time is 11:17:23. On the</p> <p>22 record.</p> <p>23 BY MR. RASKIN:</p> <p>24 Q. Have you been able to find any photos of the van?</p> <p>25 A. I have not.</p>
Page 82	Page 84
<p>1 Q. It was a burgundy or red conversion van?</p> <p>2 A. Yes.</p> <p>3 Q. Yes?</p> <p>4 A. Yes.</p> <p>5 Q. I'm going to mark a stack of color copies that I'm</p> <p>6 going to ask you to take a look at, please. And</p> <p>7 what I'm going to ask you to do is identify for me</p> <p>8 if you see the conversion van that you were in on</p> <p>9 March 7, 2017.</p> <p>10 MR. RASKIN: And I'm going to mark these,</p> <p>11 Counsel, as Exhibit A, and we can -- we can</p> <p>12 count them if you'd like.</p> <p>13 (Whereupon, Defendants' Exhibit A was</p> <p>14 marked for identification.)</p> <p>15 BY MR. RASKIN:</p> <p>16 Q. And what I'll ask you to do is just remove for me</p> <p>17 any -- any copies of photos of the conversion van,</p> <p>18 if you could do that, please, assuming I can get</p> <p>19 the clip back on the stack. This is why David</p> <p>20 doesn't let me do technical things.</p> <p>21 MR. RASKIN: So here's -- I got it for</p> <p>22 you. I have one for both of you.</p> <p>23 MR. SCOTT: Thank you.</p> <p>24 BY MR. RASKIN:</p> <p>25 Q. So showing you what we've marked for</p>	<p>1 Q. Okay. Keep looking.</p> <p>2 And so for any photo you see with the van</p> <p>3 in it, even if it's got other vehicles or other</p> <p>4 people, just -- just pull it out of this stack if</p> <p>5 you would, please.</p> <p>6 Okay. Do you have them all?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. I counted 34 photos -- or copies of photos</p> <p>9 in which the red van that you and Roy and the</p> <p>10 children were riding in is shown. Can you count</p> <p>11 the number of -- of pages you have there just to</p> <p>12 make sure that you and I have the same number,</p> <p>13 please?</p> <p>14 A. Thirty-seven.</p> <p>15 Q. You have 37?</p> <p>16 A. Wait. Is that wrong?</p> <p>17 Q. I have 34, but okay. Let's -- let's do this.</p> <p>18 Let's just mark those as --</p> <p>19 A. Do you want me to recount them?</p> <p>20 Q. That's all right. It's not necessary.</p> <p>21 Let's just mark that stack as A-1,</p> <p>22 please. I'll do it. No problem.</p> <p>23 (Whereupon, Defendants' Exhibit A-1 was</p> <p>24 marked for identification.)</p> <p>25 Q. Okay. So showing you what I've marked for</p>

Page 85	Page 87
<p>1 identification as Exhibit A-1, would you agree</p> <p>2 with me that the color photos that make up</p> <p>3 Exhibit A-1 all have a -- an image of the red or</p> <p>4 maroon van that you were riding in with Roy and</p> <p>5 the children on March 7, 2017?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. Were you present on the scene at the time</p> <p>8 these photos were taken, or did you see somebody</p> <p>9 taking the photos?</p> <p>10 A. I don't believe so.</p> <p>11 Q. Okay. Would you agree with me -- well, first of</p> <p>12 all, are you comfortable that you had an</p> <p>13 opportunity to look at each photo to confirm that</p> <p>14 it contained the red van in it or the maroon van,</p> <p>15 is that --</p> <p>16 A. Maroon.</p> <p>17 Q. Maroon van?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. The van has a Pennsylvania license plate.</p> <p>20 Can you tell me why it had a Pennsylvania license</p> <p>21 plate?</p> <p>22 A. Because he had just purchased the van from a man</p> <p>23 in Lorain, and I believe the van was registered to</p> <p>24 the man's mother. And he told Roy basically, you</p> <p>25 know, just switch it over and, when you switch it</p>	<p>1 Q. Okay. Thank you.</p> <p>2 How long had you been -- well, strike</p> <p>3 that. What was your intended destination after</p> <p>4 leaving Brunswick?</p> <p>5 A. To go home.</p> <p>6 Q. Okay. And so in order to go home, what was the</p> <p>7 route that Roy was taking?</p> <p>8 A. I don't know.</p> <p>9 Q. Okay. Was Roy the only person who drove on</p> <p>10 March 7, 2017?</p> <p>11 A. Yes.</p> <p>12 Q. But you just weren't paying attention to what</p> <p>13 roads he was on?</p> <p>14 A. Correct.</p> <p>15 Q. However he got from the residence in Brunswick to</p> <p>16 Interstate 71, we can agree that he was driving on</p> <p>17 I-71 in a northbound direction when he was -- when</p> <p>18 he first became aware that a Strongsville police</p> <p>19 officer was following him, correct?</p> <p>20 A. I wasn't aware it was northbound, but I was aware</p> <p>21 we were on 71, yes.</p> <p>22 Q. Well, wouldn't you have had to have been driving</p> <p>23 northbound from Brunswick on 71 in order to get to</p> <p>24 your residence in Avon?</p> <p>25 A. I would assume, but I -- I -- I can't tell you</p>
Page 86	Page 88
<p>1 over, dispose of the plates, I'm assuming.</p> <p>2 Q. Well, was the van -- did Roy get title to the van?</p> <p>3 A. He got it that day.</p> <p>4 Q. He got the van that day?</p> <p>5 A. No, no, no. He received the title that day. He</p> <p>6 switched the title into his name for the van</p> <p>7 probably sometime that afternoon of March 6.</p> <p>8 Q. I see.</p> <p>9 THE VIDEOGRAPHER: Two minutes of tape.</p> <p>10 BY MR. RASKIN:</p> <p>11 Q. And in looking at the -- at the copies of the --</p> <p>12 of the photos that make up Exhibit A-1, do you</p> <p>13 find any photo that is the least bit inaccurate</p> <p>14 based upon your recollection?</p> <p>15 A. I don't understand what you mean by "inaccurate."</p> <p>16 Q. That -- that doesn't show what it is supposed to</p> <p>17 show.</p> <p>18 A. No.</p> <p>19 Q. Okay. These -- these are all accurate photographs</p> <p>20 of the condition --</p> <p>21 A. Yes.</p> <p>22 Q. -- of the maroon van on March 7, 2017 and its</p> <p>23 position in relation to the various Strongsville</p> <p>24 police units, correct?</p> <p>25 A. Yes.</p>	<p>1 whether or not we was or not, whether or not he</p> <p>2 made a wrong turn. I -- we was on 71, but I -- I</p> <p>3 can't sit here and tell you I know we were</p> <p>4 northbound because I paid no attention.</p> <p>5 Q. Okay.</p> <p>6 THE VIDEOGRAPHER: We are going off the</p> <p>7 record. This is the end of Tape No. 2. The</p> <p>8 time is now 11:28:01. Off of the record.</p> <p>9 (Recess was taken.)</p> <p>10 (Whereupon, Mr. Pauley exited the</p> <p>11 conference room.)</p> <p>12 THE VIDEOGRAPHER: We're back on the</p> <p>13 record. This is the beginning of Tape No. 3.</p> <p>14 The time is now 11:35:36. On the record.</p> <p>15 BY MR. RASKIN:</p> <p>16 Q. Okay. Are you ready to resume?</p> <p>17 A. Yes.</p> <p>18 Q. All right. So if I told you that, according to</p> <p>19 the Strongsville Police Department records, Roy</p> <p>20 was driving the van northbound when he was</p> <p>21 initially observed operating at a speed of</p> <p>22 approximately 80 miles per hour, 20 miles over the</p> <p>23 speed limit, would you have any facts or memory to</p> <p>24 share with me that would be different than that?</p> <p>25 A. No.</p>

Page 89	Page 91
<p>1 Q. Okay. Now, do you -- do you recall first becoming</p> <p>2 aware that a Strongsville police officer in a</p> <p>3 Strong's -- in a marked Strongsville police vehicle</p> <p>4 was approaching the van as it was driving</p> <p>5 northbound on Interstate 71?</p> <p>6 A. I remember when it did, but I couldn't tell you if</p> <p>7 it was Strongsville or not.</p> <p>8 Q. Okay.</p> <p>9 A. I didn't pay attention. I was --</p> <p>10 Q. Okay. But -- but you're aware that it was a</p> <p>11 police vehicle?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. And when you first saw the police vehicle,</p> <p>14 had it activated lights, sirens, or an overhead</p> <p>15 light bar at all?</p> <p>16 A. No.</p> <p>17 Q. Okay. How did you become aware?</p> <p>18 A. I -- I believe it was just -- the cruiser was just</p> <p>19 sitting there as we passed.</p> <p>20 Q. Okay.</p> <p>21 A. Roy may have said something like, you know, "Crap,</p> <p>22 there's the cops" or -- I -- I don't completely</p> <p>23 recall, but I remember knowing -- being aware of</p> <p>24 it, but --</p> <p>25 Q. And -- and Roy didn't do anything to -- to pull</p>	<p>1 though.</p> <p>2 Q. Okay. If I told you that the records of the</p> <p>3 Strongsville Police Department reflect that that</p> <p>4 is what happened, that -- that Roy actually exited</p> <p>5 Interstate 71 at State Route 82, ran a red light,</p> <p>6 turned left and got back onto Interstate 71</p> <p>7 heading southbound -- I'm sorry, heading</p> <p>8 northbound with no lights on, would that refresh</p> <p>9 your recollection?</p> <p>10 A. I remember him exiting the highway, but I still</p> <p>11 wouldn't remember whether he turned his lights</p> <p>12 off.</p> <p>13 Q. Do you remember if he -- if he ran a red light?</p> <p>14 A. I don't remember that either.</p> <p>15 Q. Okay. Do you remember if he got back on the</p> <p>16 highway going in the opposite direction?</p> <p>17 A. Yes. Yes, I do. I couldn't have told you whether</p> <p>18 it was opposite or the same way, but I do remember</p> <p>19 exiting and I remember entering.</p> <p>20 Q. Okay. But -- but your testimony is that -- that</p> <p>21 you were not aware that at the time that he made</p> <p>22 the maneuvers that I've just described he actually</p> <p>23 turned his headlights off?</p> <p>24 A. Correct, I was not aware.</p> <p>25 Q. Okay. Do you recall the weather conditions that</p>
Page 90	Page 92
<p>1 over, did he?</p> <p>2 A. No.</p> <p>3 Q. Did you tell him to pull over?</p> <p>4 A. Yes.</p> <p>5 Q. How many times did you tell Roy throughout the</p> <p>6 entire pursuit to stop and pull over?</p> <p>7 A. I can't give you a number, but a lot.</p> <p>8 Q. So again, in -- in your mind, you know what "a</p> <p>9 lot" means.</p> <p>10 A. Consistently.</p> <p>11 Q. I'm sorry?</p> <p>12 A. Consistently.</p> <p>13 Q. Consistently throughout the entire pursuit you</p> <p>14 were telling Roy, "Stop. Pull over" --</p> <p>15 (Whereupon, Mr. Pauley entered the</p> <p>16 conference room.)</p> <p>17 A. Yes.</p> <p>18 Q. -- or words to that effect --</p> <p>19 A. Yes.</p> <p>20 Q. -- is that correct?</p> <p>21 Do you recall a point in time when Roy</p> <p>22 exited Interstate 71, drove up the exit ramp and</p> <p>23 then turned off his headlights?</p> <p>24 A. I -- I remember him pulling off the exit ramp. I</p> <p>25 wasn't aware that he turned his lights off,</p>	<p>1 night or early morning?</p> <p>2 A. It was raining.</p> <p>3 Q. So you would agree with me, wouldn't you, that</p> <p>4 driving on the highway at high rates of speed in</p> <p>5 the rain with no lights on was dangerous to you</p> <p>6 and the kids and to Roy?</p> <p>7 A. Yes.</p> <p>8 Q. And you would agree with me that driving on the</p> <p>9 highway at high rates of speed with no lights on</p> <p>10 is also dangerous to any other motorist who</p> <p>11 happened to be on the road because they wouldn't</p> <p>12 be able to see you, right?</p> <p>13 A. Yes. Yes.</p> <p>14 Q. So Roy's conduct represented a danger to you and</p> <p>15 everyone in his vehicle as well as to everyone</p> <p>16 else who was on the roadway at the same time,</p> <p>17 didn't it?</p> <p>18 A. Yes.</p> <p>19 Q. Now, if I'm correct, based upon your earlier</p> <p>20 questions, the license plate that was on this van</p> <p>21 that you were driving was not registered to Roy,</p> <p>22 was it?</p> <p>23 A. No, it wasn't.</p> <p>24 Q. So if the police department called in that license</p> <p>25 plate number, it would not -- there's no record</p>

Page 93	Page 95
<p>1 that you're aware of that would enable the</p> <p>2 officers to know that the vehicle belonged to Roy</p> <p>3 Evans Jr., was there?</p> <p>4 A. Correct.</p> <p>5 Q. At some point after Roy re-entered the highway,</p> <p>6 Interstate 71, did you become aware of the speeds</p> <p>7 at which he was driving?</p> <p>8 A. No.</p> <p>9 Q. If I told you that, according to the records of</p> <p>10 the Strongsville Police Department, he was driving</p> <p>11 northbound at between 100 and 110 miles per hour,</p> <p>12 would you have any facts to share with me that</p> <p>13 would contradict that conclusion?</p> <p>14 A. His gauge didn't go that high, the thing that says</p> <p>15 the speed.</p> <p>16 Q. But I'm not -- I'm not asking you what he his</p> <p>17 gauge showed. I'm saying the records of the</p> <p>18 Strongsville Police Department indicate that he</p> <p>19 was driving at speeds between 100 and 110 miles</p> <p>20 per hour. Do you have any facts to share with me</p> <p>21 that that's wrong?</p> <p>22 A. No.</p> <p>23 Q. Okay. Fair enough.</p> <p>24 Now, there came a time when other police</p> <p>25 cars joined in the pursuit; isn't that right?</p>	<p>1 A. I -- I was aware one was in front at one time. I</p> <p>2 was aware that they were on the sides. I wasn't</p> <p>3 aware if they were slowing down or going faster.</p> <p>4 It was --</p> <p>5 Q. Okay. Fair enough.</p> <p>6 Are you aware about the number of times</p> <p>7 that Roy rammed a police car with the vehicle that</p> <p>8 you were riding in?</p> <p>9 MR. SCOTT: Objection.</p> <p>10 You can answer.</p> <p>11 A. I recall, my memory, there was a cop car to his</p> <p>12 driver's side.</p> <p>13 BY MR. RASKIN:</p> <p>14 Q. A police car?</p> <p>15 A. Yes. And there was a police car to the right</p> <p>16 side, the passenger's side. I recall that -- that</p> <p>17 police car coming over and hitting us, making</p> <p>18 contact with our car.</p> <p>19 Q. Did you see the police officer in the -- in the</p> <p>20 car that was on the passenger's side, your side --</p> <p>21 A. Yes.</p> <p>22 Q. -- actually cause his vehicle to move towards the</p> <p>23 vehicle you were driving in, or do you just recall</p> <p>24 the impact?</p> <p>25 A. I recall the impact of him coming in contact with</p>
Page 94	Page 96
<p>1 A. Yes.</p> <p>2 Q. And you could see those, couldn't you?</p> <p>3 A. Yes.</p> <p>4 Q. As a matter of fact, you could see a police car</p> <p>5 next to the driver's side, right?</p> <p>6 A. Yes.</p> <p>7 Q. To Roy -- to Roy. You could also see a police car</p> <p>8 next to you --</p> <p>9 A. Yes.</p> <p>10 Q. -- right?</p> <p>11 And at one point in time, you could also</p> <p>12 see a police car ahead of you --</p> <p>13 A. Yes.</p> <p>14 Q. -- right?</p> <p>15 And the police cars were going slower and</p> <p>16 slower in an effort to get Roy to stop, weren't</p> <p>17 they?</p> <p>18 A. I can't answer that, I don't know what their</p> <p>19 speeds were.</p> <p>20 Q. Okay. You don't know if they were -- trying to</p> <p>21 slow down?</p> <p>22 A. Correct, I -- I don't know if they were trying to</p> <p>23 slow down.</p> <p>24 Q. Or if all four vehicles were just operating at the</p> <p>25 same speed, you just didn't pay attention to that?</p>	<p>1 us.</p> <p>2 Q. Right. So you --</p> <p>3 A. And then afterwards, I recall our van -- Roy</p> <p>4 coming in contact with the same -- with the same</p> <p>5 car.</p> <p>6 Q. On --</p> <p>7 A. On the passenger's side.</p> <p>8 Q. -- the passenger's side?</p> <p>9 A. Yes.</p> <p>10 Q. If I told you that, according to the records of</p> <p>11 the Strongsville Police Department, it was Roy who</p> <p>12 actually drove the van that you were riding in</p> <p>13 into the side of the police car on the passenger's</p> <p>14 side of your vehicle, would you have any facts to</p> <p>15 share with me that that impact happened</p> <p>16 differently?</p> <p>17 A. I can't give you any facts. I can tell you what I</p> <p>18 remember, and I can tell you that that cop car</p> <p>19 came in contact with us first and then, yes, Roy</p> <p>20 came in contact with him. I do remember that</p> <p>21 because it scared me.</p> <p>22 Q. Right.</p> <p>23 And I'm not saying first or second. My</p> <p>24 question is: Do you know whether Roy maneuvered</p> <p>25 the steering wheel so that the van came in contact</p>

Page 97	Page 99
<p>1 with the police car or the police officer</p> <p>2 maneuvered his steering wheel so that his vehicle</p> <p>3 came in contact with the van?</p> <p>4 A. I can't say I seen either one of those, no.</p> <p>5 Q. All right. And so if the records of the</p> <p>6 Strongsville Police Department reflect that it was</p> <p>7 Roy who maneuvered the van into the police car</p> <p>8 that was on the passenger's side of -- of the van,</p> <p>9 you wouldn't have any facts to dispute that --</p> <p>10 MR. SCOTT: Objection.</p> <p>11 BY MR. RASKIN:</p> <p>12 Q. -- would you?</p> <p>13 MR. SCOTT: You can answer.</p> <p>14 A. I mean, I wouldn't have any facts, but I'm not --</p> <p>15 BY MR. RASKIN:</p> <p>16 Q. Thank you.</p> <p>17 All right. And the next impact occurred</p> <p>18 on Roy's side of the van, didn't it?</p> <p>19 A. I don't recall that.</p> <p>20 Q. Okay. Are you aware that Roy actually drove the</p> <p>21 van into a police car which was on the left side</p> <p>22 of the van?</p> <p>23 A. No, I wasn't aware of that.</p> <p>24 Q. Okay. If I told you that the records of the</p> <p>25 Strongsville Police Department reflect that that's</p>	<p>1 four separate impacts between the van that you</p> <p>2 were driving and -- strike that. You weren't</p> <p>3 driving. Forgive me.</p> <p>4 If I told you according, to the records</p> <p>5 of the Strongsville Police Department, there were</p> <p>6 four separate impacts between the van in which you</p> <p>7 were a passenger and Roy was driving and various</p> <p>8 Strongsville police vehicles, you would not have</p> <p>9 any facts to dispute that, would you?</p> <p>10 MR. SCOTT: Objection.</p> <p>11 You can answer.</p> <p>12 A. No, I -- I remember a couple of times, so --</p> <p>13 BY MR. RASKIN:</p> <p>14 Q. Do you remember four?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. Good.</p> <p>17 All right. And do you remember that</p> <p>18 three of those impacts resulted from Roy ramming</p> <p>19 the Strongsville police vehicle that was on his</p> <p>20 side of the van, on the driver's side of the van?</p> <p>21 MR. SCOTT: Objection.</p> <p>22 You can answer.</p> <p>23 A. I don't -- I don't recall any impacts on the</p> <p>24 driver's side, I don't recall it. I recall two</p> <p>25 impacts in the back of our car. I don't know if</p>
Page 98	Page 100
<p>1 what happened, that Roy actually maneuvered the</p> <p>2 van so that it hit the officer which was on the</p> <p>3 driver's side of the van in which you were riding,</p> <p>4 you wouldn't have any facts to dispute that</p> <p>5 either, would you?</p> <p>6 MR. SCOTT: Objection.</p> <p>7 You can answer.</p> <p>8 A. I would not.</p> <p>9 BY MR. RASKIN:</p> <p>10 Q. Thank you.</p> <p>11 If I told you that there were, according</p> <p>12 to the records of the Strongsville Police</p> <p>13 Department, four separate impacts between the van</p> <p>14 that you were driving in and various Strongsville</p> <p>15 police cars, you wouldn't have any facts to</p> <p>16 dispute that either, would you?</p> <p>17 MR. SCOTT: Objection.</p> <p>18 You can answer.</p> <p>19 A. That there was impacts?</p> <p>20 BY MR. RASKIN:</p> <p>21 Q. Yes.</p> <p>22 A. I'm sorry, I didn't --</p> <p>23 Q. I'll try it again. That's okay.</p> <p>24 If I told you that, according to the</p> <p>25 Strongsville Police Department records, there were</p>	<p>1 maybe -- I don't know, I don't know what happened,</p> <p>2 but I remember being hit twice in the back and I</p> <p>3 remember the two on the passenger's side. I do</p> <p>4 not recall any on the driver's side.</p> <p>5 BY MR. RASKIN:</p> <p>6 Q. And when you say being hit in the back, you didn't</p> <p>7 actually see those impacts, right?</p> <p>8 A. No, I felt them.</p> <p>9 Q. You felt them?</p> <p>10 A. I felt them.</p> <p>11 Q. So you felt them coming from what you thought was</p> <p>12 the back of the van?</p> <p>13 A. Coming from it, yes, correct.</p> <p>14 Q. Okay. You would agree with me it could have been</p> <p>15 coming from Roy's side of the van notwithstanding</p> <p>16 your belief that it came from the back?</p> <p>17 MR. SCOTT: Objection.</p> <p>18 You can answer.</p> <p>19 A. No, I believe it came from the back. I mean,</p> <p>20 there could be facts -- and I may be wrong, I'm</p> <p>21 not saying that.</p> <p>22 BY MR. RASKIN:</p> <p>23 Q. Okay.</p> <p>24 A. But from my recollection, I believe they came from</p> <p>25 the back.</p>

Page 101	Page 103
<p>1 THE WITNESS: Is this mine or yours? I'm</p> <p>2 sorry. Is this my water?</p> <p>3 BY MR. RASKIN:</p> <p>4 Q. Okay. Now, there -- and if I understand your</p> <p>5 testimony, throughout the entire pursuit you were</p> <p>6 saying repeatedly to Roy, "Stop. Stop. Stop,"</p> <p>7 right?</p> <p>8 A. Yes.</p> <p>9 Q. What's he saying to you?</p> <p>10 A. Nothing.</p> <p>11 Q. So does -- does it seem to you like he's not</p> <p>12 hearing you or responding to you?</p> <p>13 A. He wasn't responding to me.</p> <p>14 Q. Okay. Do you know why?</p> <p>15 A. No.</p> <p>16 Q. Was that normal for him?</p> <p>17 A. No.</p> <p>18 Q. So as this was all going down, was this just</p> <p>19 almost surreal to you?</p> <p>20 A. Yes.</p> <p>21 Q. During the entire pursuit, did you -- do you need</p> <p>22 to take a break?</p> <p>23 A. No.</p> <p>24 Q. Are you sure?</p> <p>25 During the entire pursuit, at any time</p>	<p>1 A. It was very short.</p> <p>2 Q. -- please.</p> <p>3 A. I told her that the police were chasing us and Roy</p> <p>4 won't pull over. He usually would listen to me</p> <p>5 and his mother, so I thought maybe she could talk</p> <p>6 some sense into him.</p> <p>7 Q. Did you give him the phone?</p> <p>8 A. Yes.</p> <p>9 Q. Did he talk to his mother?</p> <p>10 A. For a second.</p> <p>11 Q. What did he say?</p> <p>12 A. "They're chasing us."</p> <p>13 Q. And --</p> <p>14 A. "They're trying to cut us off" or -- I -- I can't</p> <p>15 be sure of the exact statement, but, you know, I</p> <p>16 don't know what she said because it was on the</p> <p>17 phone. I'm sure she asked him, "What are you</p> <p>18 doing?"</p> <p>19 Q. Well, I was going to ask you, did you have the</p> <p>20 speaker on?</p> <p>21 A. No.</p> <p>22 Q. Okay. So could you hear --</p> <p>23 A. I could only hear him.</p> <p>24 Q. So you could not hear what Jodi Evans said to her</p> <p>25 son?</p>
Page 102	Page 104
<p>1 did you use your cell phone?</p> <p>2 A. No. I did use my son's cell phone.</p> <p>3 Q. Your son's cell phone?</p> <p>4 A. Yes.</p> <p>5 Q. And that -- that's D■■■■?</p> <p>6 A. D■■■■ cell phone.</p> <p>7 Q. Why didn't you use yours?</p> <p>8 A. It was dead.</p> <p>9 Q. It was dead?</p> <p>10 A. Yes.</p> <p>11 Q. All right. What's D■■■■ cell phone number?</p> <p>12 A. I have no idea. He never activated the phone</p> <p>13 after that. I -- I -- I don't know. It was in my</p> <p>14 phone, but BCI destroyed my phone, so I couldn't</p> <p>15 tell you what his phone number was at the time.</p> <p>16 Q. Do you know who his provider was?</p> <p>17 A. Metro PCS.</p> <p>18 Q. Who did you call?</p> <p>19 A. Jodi Evans.</p> <p>20 Q. Who is Jodi Evans?</p> <p>21 A. Roy's mother. His mother.</p> <p>22 Q. Do you know her cell phone number?</p> <p>23 A. ■■■■■■.</p> <p>24 Q. Tell me about your conversation with Jodi Evans</p> <p>25 during the pursuit --</p>	<p>1 A. Correct.</p> <p>2 Q. All you could hear is what Roy said to his mother?</p> <p>3 A. Yes.</p> <p>4 Q. And tell me everything you remember Roy saying to</p> <p>5 his mother.</p> <p>6 A. Something along the lines of "They're chasing us,</p> <p>7 they're" -- it was very split second. He -- I</p> <p>8 don't know if the phone -- the phone may have died</p> <p>9 or he hung up on her, I can't be sure because</p> <p>10 D■■■■ phone was getting ready to die when I used</p> <p>11 it.</p> <p>12 Q. Did you make any calls to anyone else other than</p> <p>13 Jodi Evans?</p> <p>14 A. No, we didn't have a phone afterwards. I know for</p> <p>15 a fact it died afterwards, it wouldn't turn on.</p> <p>16 So I don't know if he hung up the phone on her or</p> <p>17 if it died on her.</p> <p>18 Q. Okay.</p> <p>19 A. I can't be sure.</p> <p>20 Q. Fair enough.</p> <p>21 Do you recall a point in time when the</p> <p>22 tires of the van in which you were riding went</p> <p>23 flat?</p> <p>24 A. I wasn't aware at the time that's what -- I was</p> <p>25 aware we got a flat. I wasn't aware -- I know now</p>

Page 105

1 that it was tire strips, like I -- I can remember
 2 hearing "thud, thud, thud," you know, noise.
 3 **Q. Sure.**
 4 **But -- but at the time you were aware**
 5 **that a -- a tire went flat --**
 6 A. I --
 7 **Q. -- or not?**
 8 A. I -- I was aware that something went flat. I
 9 couldn't tell you if it was one, two, or all four.
 10 **Q. Okay. And that was during the pursuit?**
 11 A. Yes.
 12 **Q. Okay. And -- and you became aware that that's**
 13 **what caused Roy to have to stop, right? He**
 14 **actually spun around?**
 15 A. He didn't spin around. We were hit and the car
 16 almost flipped, and that's what brought us to a
 17 stop.
 18 **Q. Oh, not the flat tires?**
 19 A. I mean, I'm sure it was kind of a combination of
 20 everything, would be my guess. I can't tell you.
 21 **Q. Okay. Fair enough.**
 22 **All right. Where is it that you**
 23 **believe -- well, strike that. On what part of the**
 24 **van in which you were riding do you believe was**
 25 **hit immediately prior to the van coming to a stop?**

Page 106

1 A. Just the back, the back.
 2 **Q. So you think the rear of the van was hit by**
 3 **another vehicle?**
 4 A. It was hit twice.
 5 **Q. It was hit twice?**
 6 A. It was hit twice. And it seemed like he was going
 7 to lose control at that point.
 8 **Q. So after the van was hit twice, is that when it**
 9 **spun around?**
 10 A. Yes.
 11 **Q. Okay. And then it came to a stop?**
 12 A. Yes.
 13 **Q. May I see Exhibit A-1?**
 14 **Thank you.**
 15 **And could I trouble you for that?**
 16 A. I'm sorry.
 17 **Q. Thank you very much.**
 18 **No, that's all right. That's fine?**
 19 **You now know that the tires were flat --**
 20 A. Yes.
 21 **Q. -- right?**
 22 A. Yes.
 23 **Q. Okay. And you saw photos of that in Exhibit A-1,**
 24 **right?**
 25 A. Yes.

Page 107

1 **Q. After the van came to a stop, did it move again at**
 2 **any time?**
 3 A. Yes. I thought --
 4 **Q. In what direction did it move? Forward or**
 5 **backwards?**
 6 A. Forward.
 7 **Q. Okay. And did you feel it ram into a Strongsville**
 8 **Police Department SUV --**
 9 MR. SCOTT: Objection.
 10 You can answer.
 11 BY MR. RASKIN:
 12 **Q. -- immediately --**
 13 MR. RASKIN: At least let me get my
 14 question out --
 15 MR. SCOTT: Sorry.
 16 MR. RASKIN: -- before you object, if you
 17 don't mind.
 18 BY MR. RASKIN:
 19 **Q. Strike that.**
 20 **Did you feel the van move forward and ram**
 21 **into a Strongsville Police Department SUV after it**
 22 **had stopped?**
 23 MR. SCOTT: Objection.
 24 You can answer.
 25 A. I don't know. I don't recall it ramming into

Page 108

1 anything. I -- I can't be sure. I -- I can't be
 2 sure.
 3 BY MR. RASKIN:
 4 **Q. If I told you that the records of the Strongsville**
 5 **Police Department reflect that after the van came**
 6 **to a -- to a stop Roy actually rammed the white**
 7 **Strongsville SUV again, would you have any facts**
 8 **to share with me that are different than that?**
 9 MR. SCOTT: Objection.
 10 You can answer.
 11 A. I don't have -- I guess I don't have any facts,
 12 no.
 13 BY MR. RASKIN:
 14 **Q. Let me show you -- I've taken some of the**
 15 **pictures -- the copies out of A-1 which show the**
 16 **relationship of the van to the Strongsville -- the**
 17 **white Strongsville police SUV. Would you take a**
 18 **look at these, please. You may want to show them**
 19 **to your counsel because he doesn't know which ones**
 20 **I've pulled, please.**
 21 THE WITNESS: Can my dad look at the
 22 pictures, too?
 23 MR. SCOTT: Oh, sure, sure.
 24 THE WITNESS: I had asked him before.
 25

Page 109	Page 111
<p>1 BY MR. RASKIN:</p> <p>2 Q. Would you agree with me that each of those color</p> <p>3 copies accurately represents the location of the</p> <p>4 van that you were riding in that Roy Evans was</p> <p>5 driving and the Strongsville Police SUV after the</p> <p>6 stop and after Roy rammed it?</p> <p>7 A. I would agree that the vehicles made contact. I</p> <p>8 would not agree to say that Roy rammed a vehicle,</p> <p>9 whether it rolled or made a connection.</p> <p>10 Q. Right.</p> <p>11 A. I -- I would agree to that. But to say that it</p> <p>12 was rammed, I would assume I would feel an impact</p> <p>13 and I never felt an impact from that.</p> <p>14 Q. Well, you knew that -- that Roy's van after</p> <p>15 stopping again came in contact with a Strongsville</p> <p>16 Police Department SUV, correct?</p> <p>17 A. Correct.</p> <p>18 Q. Okay. All right. Fair enough.</p> <p>19 And that contact occurred before the</p> <p>20 driver's side door was open, didn't it?</p> <p>21 A. Yes.</p> <p>22 Q. There were no -- there were only the front seats</p> <p>23 in -- in the van; is that right?</p> <p>24 A. Correct.</p> <p>25 Q. So throughout this entire pursuit, none of the</p>	<p>1 Q. Okay.</p> <p>2 A. I don't recall that.</p> <p>3 Q. Okay. So you're not prepared to testify that you</p> <p>4 have any facts from which to conclude that Roy</p> <p>5 wasn't actually revving the engine of the van at</p> <p>6 the time the driver's side door was open, do you?</p> <p>7 A. No.</p> <p>8 Q. And you have no facts to share with me that Roy's</p> <p>9 foot was not on the accelerator causing the engine</p> <p>10 to rev at the time the driver's side door to the</p> <p>11 van was open, do you?</p> <p>12 A. No.</p> <p>13 Q. Now, after the van in which you were driving</p> <p>14 stopped and then hit the SUV, is that when Roy</p> <p>15 grabbed your hand?</p> <p>16 A. I don't -- I don't -- I don't recall if it was</p> <p>17 before or after.</p> <p>18 Q. Okay. In reading your statement, I believe you</p> <p>19 said that you fist bumped, you said --</p> <p>20 A. I didn't say anything. I -- I told him he was</p> <p>21 going to jail.</p> <p>22 Q. I thought you said, "You're going to jail."</p> <p>23 And he said, "I love you"?</p> <p>24 A. I told him I loved him.</p> <p>25 Q. Oh, you told him you loved him?</p>
Page 110	Page 112
<p>1 kids were belted?</p> <p>2 A. Correct.</p> <p>3 Q. Were you belted?</p> <p>4 A. No.</p> <p>5 Q. Was Roy belted?</p> <p>6 A. No.</p> <p>7 Q. Okay. After the van impacted the Strongsville SUV</p> <p>8 following the initial stop, do you recall where</p> <p>9 Roy's feet were?</p> <p>10 A. I mean, I could assume, but I -- I assume they</p> <p>11 were --</p> <p>12 Q. I'm not asking you to assume.</p> <p>13 A. I can't -- I can't --</p> <p>14 Q. I'm asking you do you know where his feet were.</p> <p>15 A. No.</p> <p>16 Q. Do you know -- you don't know if his feet were on</p> <p>17 the brake or on the accelerator --</p> <p>18 A. I do not.</p> <p>19 Q. -- or one foot on each or both foot -- feet on</p> <p>20 neither of those, do you?</p> <p>21 A. Correct, I do not know.</p> <p>22 Q. Do you have any recollection of hearing the engine</p> <p>23 of the van? In other words, do you remember if</p> <p>24 you heard it at all?</p> <p>25 A. I don't remember.</p>	<p>1 A. I told him.</p> <p>2 Q. All right. So --</p> <p>3 A. He said something along the lines of, "We got</p> <p>4 this."</p> <p>5 Q. "We got this." Do you have any idea what "We got</p> <p>6 this" meant?</p> <p>7 A. Absolutely not.</p> <p>8 Q. Okay. So --</p> <p>9 A. I just assumed -- I can make speculation. It came</p> <p>10 to an end or, you know, it's okay, I don't know.</p> <p>11 Q. Okay. But let's talk about what we do know, okay?</p> <p>12 So what we do know is that -- that kind of the</p> <p>13 timeline is the vehicle that you're in, the van,</p> <p>14 spins, comes to a stop, impacts with the</p> <p>15 Strongsville police cruiser that we see in the</p> <p>16 photos there, the white cruiser, and then does the</p> <p>17 door open or do you -- the driver's side door</p> <p>18 open, or do you have the exchange that you just</p> <p>19 described first, or do you know?</p> <p>20 A. We had the exchange first.</p> <p>21 Q. Okay.</p> <p>22 A. Prior to the door opening.</p> <p>23 Q. Okay. So that -- so before Officer Miller opens</p> <p>24 the driver's side door, you fist bump? Yes?</p> <p>25 A. Yes.</p>

Page 113

1 **Q. Roy says something like, "We got this," correct?**
 2 A. Yes.
 3 **Q. You say, "I love you, and you know you're going to**
 4 **jail"?**
 5 A. Yes.
 6 **Q. Or words to that effect --**
 7 A. Yes.
 8 **Q. -- right?**
 9 **After the fist bump, is Roy holding your**
 10 **hand?**
 11 A. No.
 12 **Q. No.**
 13 **When the -- when the driver's side door**
 14 **first opens, do you know where Roy's hands were?**
 15 A. No.
 16 **Q. Did you ever see -- strike that. After the van**
 17 **stops and the van then impacts again with the**
 18 **Strongsville SUV, did you ever see Roy's hands --**
 19 **and after your first bump, of course, did you ever**
 20 **see Roy's hands on either the steering wheel of**
 21 **the van or the gearshift selector?**
 22 A. I -- I -- I remember seeing his hand and I
 23 remember a cigarette in his mouth. I remember his
 24 hands in front of him, whether they were touching
 25 the gearshift or the -- I can't -- I can't

Page 114

1 remember. It happened so fast.
 2 **Q. Okay. I understand. And I'm just asking you for**
 3 **your best recollection.**
 4 **So at some point after the impact with**
 5 **the SUV and after your fist bump and -- and the**
 6 **exchange that you've just described, you remember**
 7 **Roy's hands --**
 8 A. I remember his hands --
 9 **Q. -- on the steering wheel or shift selector, you're**
 10 **not sure?**
 11 A. I -- I remember seeing them up and he had a
 12 cigarette hanging out his mouth. But the
 13 cigarette was not in his hand, it was in his
 14 mouth.
 15 **Q. Right.**
 16 **And do you remember seeing both of his**
 17 **hands or just one of them?**
 18 A. I can't be sure.
 19 **Q. Okay. And since you can't be sure, you can't tell**
 20 **me if you saw his left hand or his right hand?**
 21 **You just don't know? And this is immediately**
 22 **prior to the door opening.**
 23 A. I want to say I remember a cigarette and I
 24 remember his hand on the steering wheel. Whether
 25 it was the left or the right, I can't tell you.

Page 115

1 **Q. Okay. So -- but -- and again, I know this is hard**
 2 **and I apologize, I don't mean to cause you any**
 3 **more pain than you've already suffered, but I**
 4 **just -- I can't jump inside your head.**
 5 A. No, I know.
 6 **Q. So I have to ask you these questions.**
 7 A. That's okay.
 8 **Q. So please forgive me.**
 9 **So with respect to what you are certain**
 10 **you remember as opposed to what you might think**
 11 **happened, right, you remember one of his hands on**
 12 **the steering wheel and you remember the cigarette**
 13 **hanging out of his mouth after the exchange you've**
 14 **described and after the fist bump -- fist bump --**
 15 A. Yes.
 16 **Q. -- correct?**
 17 **And you don't know where his other hand**
 18 **was, do you?**
 19 A. No, I can't be sure.
 20 **Q. Okay. Now the door comes open, correct?**
 21 A. Correct.
 22 **Q. Do you remember the police officer -- I'll tell**
 23 **you his name was Officer Miller. You -- you know**
 24 **his name is Officer Miller, right?**
 25 A. I know that now, I didn't know that --

Page 116

1 **Q. Sure. Of course not, but -- but -- so if I refer**
 2 **to him as Officer Miller, you know who I'm talking**
 3 **about?**
 4 A. Yes.
 5 **Q. Okay. So do you remember Officer Miller yelling**
 6 **"Hands, let me see your hands"?**
 7 A. No, he never had a sentence. I remember noise,
 8 maybe he yelled "Hands." He fired his gun
 9 immediately. There was never even time for a full
 10 sentence of "Let me see your hands."
 11 **Q. If I told you that, according to the reports of**
 12 **the Ohio State Highway Patrol Troopers, they**
 13 **reported that they heard Officer Miller say,**
 14 **"Hands, let me see your hands" --**
 15 A. I would tell you that I heard that after Roy was
 16 shot. I will tell you I did hear that --
 17 **Q. But he did --**
 18 A. -- but I didn't hear that statement -- no, I don't
 19 think, I know -- until after Roy was shot.
 20 **Q. Okay. Did -- do -- do you recall hearing "Hands"?**
 21 A. I can't recall even a full word. I heard "H --
 22 bam, bam."
 23 **Q. Okay.**
 24 A. That's what I heard.
 25 **Q. When the door opened -- when Officer Miller opened**

Page 117	Page 119
<p>1 the door, do you have a memory of what movements,</p> <p>2 if any, Roy made before the first shot was fired?</p> <p>3 A. There was no time for movements.</p> <p>4 Q. I'm asking --</p> <p>5 A. No, no.</p> <p>6 Q. You have no memory at all?</p> <p>7 A. No.</p> <p>8 Q. Okay. If I told you that Officer Miller in his</p> <p>9 report indicated that Roy reached down between the</p> <p>10 seats, you don't have any memory that contradicts</p> <p>11 that, do you?</p> <p>12 A. I will tell you --</p> <p>13 MR. SCOTT: Objection.</p> <p>14 You can answer.</p> <p>15 A. I will tell you Roy couldn't reach between the</p> <p>16 seats because there was several carpet rolls in</p> <p>17 between the seats.</p> <p>18 BY MR. RASKIN:</p> <p>19 Q. I understand.</p> <p>20 A. That there's no way that he could get his hand in</p> <p>21 between the seats.</p> <p>22 Q. Well, he could reach down and touch the carpet</p> <p>23 roll, right?</p> <p>24 A. Yeah, but they were kind of propped like that. So</p> <p>25 I mean --</p>	<p>1 there was several carpet rolls in between us.</p> <p>2 Q. Okay. So let's look at Exhibit A again, and I</p> <p>3 think we'll see a couple of photographs -- or</p> <p>4 xerographic reproductions. Okay. Look at A,</p> <p>5 don't look at the --</p> <p>6 A. I'm sorry.</p> <p>7 Q. That's all right. Take your time.</p> <p>8 There's Exhibit A, right?</p> <p>9 A. Okay. What am I looking for?</p> <p>10 Q. And I think you'll find some photographs of the</p> <p>11 interior of the van, at least a couple. Did you</p> <p>12 find them?</p> <p>13 A. No, I was hoping he would have.</p> <p>14 Q. Oh, okay.</p> <p>15 A. It would be in the police vehicles or it would be</p> <p>16 in --</p> <p>17 Q. In the big -- in the big one.</p> <p>18 A. It would be in the big one.</p> <p>19 Thank you.</p> <p>20 Yes, the carpet rolls.</p> <p>21 Q. Okay. So these are the carpet rolls. We can --</p> <p>22 A. Yes.</p> <p>23 Q. Right?</p> <p>24 A. These are the carpet rolls. Those are the tubings</p> <p>25 from the job that he had did.</p>
Page 118	Page 120
<p>1 Q. But "like that" doesn't --</p> <p>2 A. Like -- I'm --</p> <p>3 Q. -- help us.</p> <p>4 A. I'm sorry.</p> <p>5 Q. No, no. That's okay.</p> <p>6 A. I'm sorry.</p> <p>7 Q. Because you have a vision --</p> <p>8 A. I'm sorry.</p> <p>9 Q. -- in your mind, but --</p> <p>10 A. They're angled this way because the -- the van</p> <p>11 has -- is it called a dash or a console or</p> <p>12 whatever -- it goes like this on the inside.</p> <p>13 Q. Okay.</p> <p>14 A. The carpet rolls were in, so, of course, then</p> <p>15 they're -- I believe it was like that.</p> <p>16 Q. Okay. Well --</p> <p>17 A. Oh, my God.</p> <p>18 Q. Okay. Well, we don't --</p> <p>19 A. I'm sorry.</p> <p>20 Q. -- have to guess because --</p> <p>21 A. I -- I know there was several carpet rolls --</p> <p>22 Q. Sure.</p> <p>23 A. -- and -- and that's why my seat belt --</p> <p>24 Q. Okay.</p> <p>25 A. And I can assume his seat belt wasn't on. Like</p>	<p>1 Q. Right. That's fine. It's all carpeting?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. I don't mean to be -- to a guy who's not in</p> <p>4 the carpet installing business, it's all</p> <p>5 carpeting, right?</p> <p>6 Okay. So we can agree that there --</p> <p>7 there's nothing in these photos that shows how far</p> <p>8 the carpet rolls extended into the front area of</p> <p>9 the van, is there?</p> <p>10 A. Well, a standard carpet roll is at least 12 foot,</p> <p>11 so we can --</p> <p>12 Q. Listen -- listen to my question. We can agree</p> <p>13 that there's -- take a look in -- in Exhibit A.</p> <p>14 All right?</p> <p>15 A. Why can't we just look at these ones? I have them</p> <p>16 pulled out.</p> <p>17 Q. Because those don't have any pictures of the</p> <p>18 inside of the van.</p> <p>19 A. I was trying to look at the front of the van --</p> <p>20 Q. Oh, go ahead. That's fine.</p> <p>21 A. -- is what I was trying to do.</p> <p>22 Q. Sure.</p> <p>23 A. I can't see.</p> <p>24 Q. That's all right.</p> <p>25 And actually, look at every picture that</p>

Page 121	Page 123
<p>1 you want. I'm not trying to restrict you. I'm</p> <p>2 just trying to move the process along a little</p> <p>3 bit, but that's all right. So --</p> <p>4 A. It's just -- it's just that I -- I can't -- I just</p> <p>5 know that they were seated in the front. My</p> <p>6 memory -- I mean --</p> <p>7 Q. The fact is you don't have any memory of what</p> <p>8 Roy's body did once the driver's side door opened</p> <p>9 and before he was shot, do you?</p> <p>10 MR. SCOTT: Objection.</p> <p>11 You can answer.</p> <p>12 A. I mean, I think we both looked at the door, that's</p> <p>13 the only body --</p> <p>14 BY MR. RASKIN:</p> <p>15 Q. I'm not asking you what you think. I'm asking you</p> <p>16 specifically -- this is a specific question: Do</p> <p>17 you or do you not have a memory of what Roy's</p> <p>18 body --</p> <p>19 A. No.</p> <p>20 Q. -- did just prior to him being shot?</p> <p>21 A. No.</p> <p>22 Q. So -- and I asked that poorly, and I apologize.</p> <p>23 What -- what I really meant to ask, and should</p> <p>24 have been more specific about, was you don't have</p> <p>25 any memory, do you, of any of Roy's movements</p>	<p>1 After the first shot and before the</p> <p>2 second shot, were you looking at Roy in order to</p> <p>3 enable you to see whether or not there was any</p> <p>4 movement --</p> <p>5 A. Yes.</p> <p>6 Q. -- of any part of his body?</p> <p>7 A. Yes.</p> <p>8 Q. Was there?</p> <p>9 A. Not that I recall.</p> <p>10 Q. There could have been, you just don't remember?</p> <p>11 A. No, I'm pretty sure there wasn't. There -- there</p> <p>12 was no movement. No, there was no movement.</p> <p>13 Q. The reason I'm asking you this question -- it's</p> <p>14 not a trick --</p> <p>15 A. No, I know. I know. No, no, no, I know. It's</p> <p>16 just I remember --</p> <p>17 Q. Let me just see if I can explain to you, so you</p> <p>18 said neither of you were belted --</p> <p>19 A. Correct.</p> <p>20 Q. -- right?</p> <p>21 And according to your statement, when the</p> <p>22 door opened, you threw your hands up in the air.</p> <p>23 A. My hands were probably up prior to that, but yeah.</p> <p>24 Q. Okay. And you were looking at the police officer.</p> <p>25 A. I was looking at the door when --</p>
Page 122	Page 124
<p>1 between the time the driver's side door opened and</p> <p>2 he was shot, do you?</p> <p>3 A. I --</p> <p>4 MR. SCOTT: Objection.</p> <p>5 You can answer.</p> <p>6 A. I do not recall him -- him moving, that's what</p> <p>7 I'll say. I don't recall him moving, so no.</p> <p>8 BY MR. RASKIN:</p> <p>9 Q. Thank you.</p> <p>10 And if I understand your testimony, you</p> <p>11 may have heard the word "Hands," you're not sure,</p> <p>12 but you're fairly confident that "Hands" -- the</p> <p>13 statement "Hands, let me see your hands" did not</p> <p>14 get made before Roy was shot?</p> <p>15 MR. SCOTT: Objection.</p> <p>16 You can answer.</p> <p>17 A. Right.</p> <p>18 BY MR. RASKIN:</p> <p>19 Q. Now, in terms of -- strike that. After the first</p> <p>20 shot and before the second shot, did you see any</p> <p>21 movement of any part of Roy's body at all?</p> <p>22 A. He died after the first shot, the life went out of</p> <p>23 him, he didn't move at all. Like he --</p> <p>24 Q. Okay. Again, you need to focus on my question,</p> <p>25 please.</p>	<p>1 Q. And you were looking at Jason Miller --</p> <p>2 A. -- it first --</p> <p>3 Q. Right, correct.</p> <p>4 A. I mean, yes, I was looking at the door.</p> <p>5 Q. Because you saw him shoot, right? Did you see him</p> <p>6 shoot?</p> <p>7 A. Yes.</p> <p>8 Q. Right.</p> <p>9 So you're not looking at Roy, you're</p> <p>10 looking at the officer who has now surprised you</p> <p>11 by opening the door, yelling something, and then</p> <p>12 shooting, right? So you're not looking at Roy,</p> <p>13 are you --</p> <p>14 A. When we're --</p> <p>15 Q. -- until after the shot?</p> <p>16 A. Correct.</p> <p>17 Q. All right. And -- and that first shot shocked the</p> <p>18 heck out of you, didn't it? You weren't expecting</p> <p>19 that at all, were you?</p> <p>20 A. No.</p> <p>21 Q. Okay. So would it be fair to say that you were in</p> <p>22 a state of shock when that happened? It was</p> <p>23 surreal, I think you described it as. Yes?</p> <p>24 A. Yes.</p> <p>25 Q. So it's really not clear, any of these things --</p>

Page 125

1 **these events from the time the door opens to the**
 2 **time the shots are fired?**
 3 A. No, I'm clear.
 4 **Q. You're clear?**
 5 A. I am clear. When he was shot, he went -- he
 6 didn't fall on me because of the carpet. He went
 7 my way.
 8 **Q. Okay. He fell towards the passenger's side --**
 9 A. Yes.
 10 **Q. -- of the -- of the van?**
 11 A. Yes.
 12 **Q. Okay.**
 13 A. And I think at that point I was -- maneuvered
 14 toward him. At this point --
 15 **Q. Was that before the first shot or the second shot?**
 16 A. After the first.
 17 **Q. Okay.**
 18 A. I mean, the shots startled me, scared me, shocked
 19 me, and I -- I mean, it was -- it was so
 20 instantaneously.
 21 **Q. You don't know what his hands did or --**
 22 A. He wasn't moving.
 23 **Q. -- any part of his body other than he fell towards**
 24 **you?**
 25 A. No, I was looking at him.

Page 126

1 **Q. Right.**
 2 A. At this point, I'm looking at him, he's not
 3 moving.
 4 **Q. Correct.**
 5 **Do you --**
 6 A. He's --
 7 **Q. -- know what his hands or any other part of his**
 8 **body were doing between the first and the second**
 9 **shot?**
 10 A. Yeah, they were doing nothing.
 11 **Q. You're --**
 12 A. He -- he had no movement.
 13 **Q. He just fell towards you? Well, he had some**
 14 **movement because he fell towards you, you said.**
 15 A. He fell toward me --
 16 **Q. Right.**
 17 A. -- because he got killed.
 18 **Q. Well, you don't know if the first shot killed him**
 19 **or the second shot killed him, do you?**
 20 A. Can I say 100 percent that I -- I can prove it,
 21 no. Can I say being with somebody from 10 years
 22 and watching the life go out of them, yes.
 23 **Q. But that's not a medical opinion. I mean,**
 24 **you're -- you're a --**
 25 A. I'm not a --

Page 127

1 **Q. -- nursing assistant.**
 2 A. I'm no medical --
 3 **Q. You know you can't make that assessment.**
 4 A. No.
 5 **Q. Okay. All right. But certainly, emotionally,**
 6 **that's how you felt, I understand that, I**
 7 **appreciate that. And I'm not trying to minimize**
 8 **that, I'm just trying to -- to understand.**
 9 **Okay. Where were the kids when the shots**
 10 **were fired between the time the door was opened**
 11 **and the time the shots were fired?**
 12 A. In the back.
 13 **Q. Okay. Did you -- I'm sure after all of these**
 14 **events occurred, you talked to the kids about what**
 15 **happened, right?**
 16 A. Yes.
 17 **Q. Okay. Did any of the -- well, let's just -- let's**
 18 **just kind of go through the list if we can.**
 19 **Did -- did J [REDACTED] tell you that she saw --**
 20 A. Y [REDACTED].
 21 **Q. -- anything?**
 22 **Sorry.**
 23 A. If you ever meet her, she'll -- she'll get you for
 24 that one.
 25 **Q. You know something, my first name's Todd and it**

Page 128

1 **used to aggravate the heck out of me when people**
 2 **spelled it with one "d," so I'm with her, right,**
 3 **so I'm -- I'm with her. But I promise you, by the**
 4 **time this is -- we're all done.**
 5 **All right. Okay. So it's J [REDACTED]?**
 6 A. Y [REDACTED].
 7 **Q. Y [REDACTED].**
 8 A. With a "Y."
 9 **Q. Because I'm looking at it and it's spelled the way**
 10 **you can read it.**
 11 **Okay. So -- so did Y [REDACTED] tell you she**
 12 **saw anything?**
 13 A. Yes.
 14 **Q. Yes.**
 15 **Okay. Tell me what -- before I ask you**
 16 **that, have you now described for me everything**
 17 **that you saw from the time the van stops, the door**
 18 **opens, the shots are fired?**
 19 A. Yes.
 20 **Q. You -- you haven't left out anything because I**
 21 **haven't -- because I've asked bad questions or I**
 22 **haven't asked comprehensive enough questions; is**
 23 **that right?**
 24 A. No.
 25 **Q. Okay. So Y [REDACTED] is now [REDACTED]?**

Page 129

1 A. Yes.

2 **Q. Which means that she's [REDACTED] --**

3 A. She was [REDACTED].

4 **Q. [REDACTED] at the time.**

5 A. She turned [REDACTED] the day after she buried her dad.

6 **Q. Okay. So where was Y [REDACTED] in the -- in the -- I**

7 **know she was behind the front seats --**

8 A. Yes.

9 **Q. -- but do you know specifically where she was**

10 **physically in the van from the time the door**

11 **opened until the time the shots were fired?**

12 A. Did I physically see her, no.

13 **Q. Okay. Did she tell you where she was?**

14 A. D [REDACTED] was -- D [REDACTED] was holding them.

15 **Q. Okay. So D [REDACTED] was holding both Y [REDACTED] and R [REDACTED]?**

16 A. Yes.

17 **Q. Okay. I'm assuming you didn't see that, so D [REDACTED],**

18 **Y [REDACTED], and/or R [REDACTED] must have told you that?**

19 A. Yes.

20 **Q. Okay. So we have a photo -- or a copy of a photo**

21 **of the interior of the van, right? We were just**

22 **looking at it, right? We saw the --**

23 A. Yes.

24 **Q. -- carpet rolls and carpet remnants.**

25 A. The photo of remnants.

Page 130

1 **Q. Okay. All right. So can you find that -- it**

2 **probably isn't in that stack. It's probably in --**

3 MR. SCOTT: This one here.

4 MR. RASKIN: Yes, that's fine.

5 BY MR. RASKIN:

6 **Q. So -- here, let's -- let's just -- because this is**

7 **the -- this is the -- this is the labeled exhibit.**

8 MR. SCOTT: Use that one.

9 BY MR. RASKIN:

10 **Q. So what I'm going to do is I'm going to put these**

11 **photos back into A-1 because these are all**

12 **photos -- or copies of photos of the van, right?**

13 A. Yes.

14 **Q. Yes?**

15 A. Yes.

16 **Q. Okay. You have to answer verbally.**

17 **Now, within A-1, can you pick out -- and**

18 **I'll help you, I'm happy to help -- the photos of**

19 **the interior of the van which shows the carpet**

20 **rolls and remnants? And I think that there are**

21 **two of those, right?**

22 A. Yes.

23 **Q. Two photos, correct?**

24 A. Yes.

25 **Q. Okay. So let's take these temporarily out of A-1,**

Page 131

1 **and I'm going to show you both of those photos.**

2 **Now, from looking at those colored**

3 **photos -- or color copies of photos, can you**

4 **pinpoint for me where D [REDACTED], R [REDACTED] and Y [REDACTED] were**

5 **located at the time the shots were fired?**

6 A. No.

7 **Q. Okay. Did D [REDACTED], R [REDACTED], or Y [REDACTED] tell you where**

8 **they were located in the rear of the van at the**

9 **time the shots were fired?**

10 A. I believe behind the driver's seat.

11 **Q. How far behind the driver's seat?**

12 A. I don't know. But, I mean, obviously, during the

13 chase, it became a wreck. The van was actually

14 organized when we got in. I recall Y [REDACTED] saying

15 that she could see through the cracks of the door,

16 the side door was open. So I don't exactly know,

17 but I know there was more beside -- behind

18 [REDACTED] seat than my seat.

19 **Q. So Y [REDACTED] said she could see through the crack of**

20 **the --**

21 A. The side doors.

22 **Q. Right.**

23 A. And she was --

24 **Q. Not -- not -- not the front driver's side door?**

25 A. Not the front, but the sides.

Page 132

1 **Q. Okay. So did any -- did any of the three kids**

2 **describe for you what they saw?**

3 A. Yes.

4 **Q. Okay. Did -- did they all or -- well, first of**

5 **all, was R [REDACTED] too young?**

6 A. R [REDACTED] too young to comprehend what happened --

7 **Q. Okay.**

8 A. -- to understand. R [REDACTED] understands that he -- he

9 seen his dad get shot because when he plays cops

10 and robbers he says, "Freeze. You're under

11 arrest. You're going to go to heaven."

12 **Q. So what did the kids tell you they observed?**

13 A. Y [REDACTED] said that after they took me out of the

14 car --

15 **Q. Keep --**

16 A. They took me out of the car and then I was placed

17 in a police car away from them. Y [REDACTED] and R [REDACTED]

18 were still in the van and they had took D [REDACTED] out.

19 She said she climbed into the front seat and she

20 could see red stuff. She said she looked down at

21 her daddy and she said there was blood.

22 **Q. Is her --**

23 A. And she thought --

24 **Q. Is R [REDACTED] out of the car -- he's out of the van at**

25 **this point, is that right, or no?**

Page 133

Page 135

1 A. Huh-uh, no, he's still in the van.
 2 **Q. Okay. All right. So she climbed into his lap**
 3 **or --**
 4 A. Into the driver's seat. Y [REDACTED] climbed -- they
 5 took -- they took R [REDACTED]. -- they took [REDACTED] out
 6 of the car and that's when she climbed into the
 7 driver's seat.
 8 **Q. Okay. That's what I --**
 9 A. I'm sorry. I should have been more clear.
 10 **Q. Well, R [REDACTED] and [REDACTED], but we don't really**
 11 **have a [REDACTED].**
 12 A. Well, I always called Roy Jr. that got shot -- I
 13 always referred to him as Junior.
 14 **Q. Okay.**
 15 A. I never called him Roy.
 16 **Q. All right.**
 17 A. And I call my son R [REDACTED].
 18 **Q. Okay. So -- but from my -- so that I can keep**
 19 **them straight, right, so -- so they had taken Roy**
 20 **Evans out of the car before J [REDACTED] -- Y [REDACTED]**
 21 **climbed in the front seat?**
 22 A. Yes.
 23 **Q. Okay. My question is a little different than**
 24 **that. My question is, at this point, did Y [REDACTED]**
 25 **or D [REDACTED] tell you if they saw any of the events**

Page 134

1 **beginning with when the driver's side door opened**
 2 **and concluding with when Roy was shot.**
 3 A. I mean, D [REDACTED] said when they first shot he thought
 4 that they tased him. I mean, they didn't give me
 5 any description of what they seen. They both,
 6 when they spoke to me, seemed to have an
 7 understanding and they both knew that Roy was
 8 shot.
 9 **Q. Right. But I'm asking you if they told you what**
 10 **they saw, if they saw anything, prior to the**
 11 **shooting.**
 12 A. Y [REDACTED] said Officer Miller took the cigarette out
 13 of her dad's mouth and threw it in the back. That
 14 cigarette he was smoking actually burnt her coat.
 15 **Q. Again, I'm talking about the period of time**
 16 **between when the door opens --**
 17 A. She doesn't say, "Oh, I seen the cop pull the gun
 18 out and shoot," no.
 19 **Q. Please let me ask my question so that -- so that**
 20 **we're communicating with one another.**
 21 **Did either Y [REDACTED] or D [REDACTED] describe**
 22 **seeing anything between the time the driver's side**
 23 **door of the van opens and the shots are fired?**
 24 A. No.
 25 **Q. Did you ask them if they saw anything?**

1 A. No, I never asked them to go into detail.
 2 **Q. So we can put these interior shots back into A-1,**
 3 **please.**
 4 **At the time Roy was shot, was he holding**
 5 **your hand?**
 6 A. No.
 7 **Q. Okay. At some point after you fist bumped, did he**
 8 **reach over to hold your hand?**
 9 A. I don't believe so.
 10 **Q. Do you recall making a statement saying that? Not**
 11 **after the first bump, but that he reached over**
 12 **and -- and grabbed your hand?**
 13 A. He probably grabbed my hand. I don't recall.
 14 **Q. Okay. Do you recall being interviewed by a**
 15 **special agent from the Ohio Bureau of Criminal**
 16 **Investigation?**
 17 A. Yes.
 18 **Q. Do you remember it was a gentleman by the name of**
 19 **Charles Moran?**
 20 A. Yes.
 21 **Q. Do you remember telling Agent Moran that Roy "knew**
 22 **he was going to jail. He knew he was going to**
 23 **jail. For running. He's on parole so...felonious**
 24 **assault. So this is now his second time for**
 25 **getting pulled over for driving without a license,**

Page 136

1 **you know, he's just going to go, you know?" Do**
 2 **you remember telling that to --**
 3 A. I remember talk --
 4 **Q. -- Special Agent Moran?**
 5 A. I remember talking to them. I -- those were my
 6 speculations. Was it that he verbalized that, no.
 7 **Q. That's what you told Special Agent Moran?**
 8 A. I didn't say that he verbalized it. I said that
 9 he didn't speak in the car, but I -- but when --
 10 when they came shortly after they -- they were --
 11 actually had a thing on my door when I arrived.
 12 He never spoke in the vehicle, those were my
 13 speculations. I mean, of course he had to have
 14 known. I mean any person in their right mind --
 15 any person in this room could agree that he was
 16 going to go to prison, I mean, after running and
 17 being on parole. Was Roy expressing "I'm going to
 18 run because I'm going to go to jail," no, that's
 19 not what happened.
 20 **Q. My question was much simpler than that. Did you**
 21 **tell Special Agent Moran --**
 22 A. Yes.
 23 **Q. -- quote, He knew he was going to jail. He knew**
 24 **he was going to jail. For running. He's on**
 25 **parole so...felonious assault. So this is now his**

1 second time for getting pulled over for driving
2 without a license so he's, he's just going to go,
3 you know? Is -- do you recall using those words
4 in your interview with Special Agent Moran?

5 A. I mean, it's in the report, so I -- I know it's
6 there. Do I recall what I said to him, no, I was
7 in a --

8 Q. You don't deny saying it?

9 A. No. No, I -- I don't deny it.

10 Q. You don't have any reason to believe --

11 A. No.

12 Q. --that Special Agent Moran --

13 A. No.

14 Q. -- attributed any statements to you that --

15 A. No.

16 Q. -- you didn't make, do you?

17 A. No.

18 Q. Okay. All right. Fair enough.

19 Do you recall that during part of the
20 interview Special Agent Moran asked you what
21 happened when the van came to a stop?

22 A. I don't really recall very much of anything that
23 happened after.

24 Q. So let me -- and I appreciate that.

25 A. I -- I don't believe that he put anything in my

1 Q. Okay. All right.

2 A. I'm assuming it -- it was an expression, but I
3 don't recall.

4 Q. You don't recall.

5 Do you recall during an interview
6 describing Roy as a [REDACTED]?

7 A. Yes.

8 Q. And that's true, isn't it?

9 A. [REDACTED] -- [REDACTED] -- [REDACTED] -- [REDACTED] -- it's
10 not [REDACTED]. It's [REDACTED].

11 Q. You think that's his diagnosis, [REDACTED]
12 [REDACTED]?

13 A. Yeah, same -- yeah, I mean --

14 Q. You used the phrase "[REDACTED]" when
15 you were interviewed.

16 A. And he is [REDACTED], yes.

17 Q. But -- but --

18 A. Yes, I -- I recall that.

19 Q. But you think that --

20 A. I mean, I'm --

21 Q. -- a more complete diagnosis might be
22 [REDACTED]? I'll get The Nord
23 records --

24 A. Yes.

25 Q. -- so don't worry about that.

1 mouth, so you can read.

2 Q. Okay. So -- and that's what I'm going to do,
3 so --

4 A. Yes.

5 Q. -- just to make sure we're on the same page.

6 So the second page of his report --
7 forgive me. That's not -- okay. So the second --
8 the third page of his report says, "Special Agent
9 Moran asked Pauley what happened when the van came
10 to a stop." Quote, Pauley responded, "He looked
11 at me and I said, 'I love you. You're going to
12 jail.' And he said put his fist out and bumped my
13 fist. Told my son he loved him and went like
14 this. The cop opened the door and said, 'Bam!
15 Bam!' Shot him point blank in the chest two times
16 in front of my children. There were no guns.
17 There were no weapons." Do you remember that
18 exchange with Special Agent Moran at all?

19 A. Yes.

20 Q. Okay. So my question to you is, what did you mean
21 when you said "Told my son he loved him and went
22 like this"? What is "went like this"?

23 A. I don't recall.

24 Q. You don't remember?

25 A. I don't recall.

1 But you -- that's how you described
2 him --

3 A. Yes.

4 Q. -- to the police officer?

5 Do you recall at any time saying that
6 Roy -- that after the car had stopped but before
7 the shots were fired Roy reached over and grabbed
8 your hand?

9 A. I don't recall.

10 Q. Okay. You wouldn't say that you didn't say that,
11 you just don't remember saying that?

12 A. Correct, correct.

13 Q. All right. Fair enough.

14 Do you recall how long the pursuit lasted
15 from start to finish?

16 A. Ten, fifteen minutes.

17 Q. Okay. If I told you that the records reflect that
18 it was almost 20 minutes that he was fleeing from
19 the police, do you have any reason to doubt that?

20 A. No.

21 Q. Do you recall being asked by Special Agent Moran
22 whether or not the children could see out of the
23 windows of the van and your response was that they
24 were below the window levels of the van?

25 A. I don't recall saying it. I will -- the only one

Page 141	Page 143
<p>1 that I would say may not be below would be D■■■■, he's a very tall boy.</p> <p>2</p> <p>3 Q. But my question is, do you recall telling Special Agent Moran --</p> <p>4</p> <p>5 A. No.</p> <p>6 Q. -- that the kids were below window level of the van?</p> <p>7</p> <p>8 A. I mean, I don't -- I don't recall the whole conversation, but I have no reason to believe that he would lie.</p> <p>9</p> <p>10</p> <p>11 Q. Fair enough. Okay.</p> <p>12 THE VIDEOGRAPHER: Two minutes of tape.</p> <p>13 MR. RASKIN: Dave, why don't you kill the tape now.</p> <p>14</p> <p>15 THE VIDEOGRAPHER: We're going to go off the record. This will be the end of Tape No. 3. The time is now 12:38:02. Off of the record.</p> <p>16</p> <p>17</p> <p>18 (Recess was taken.)</p> <p>19</p> <p>20 THE VIDEOGRAPHER: We're back on the record. This is the beginning of Tape No. 4. The time is now 12:51:13. On the record.</p> <p>21</p> <p>22</p> <p>23 BY MR. RASKIN:</p> <p>24 Q. You ready --</p> <p>25 A. Yes.</p>	<p>1 A. This one?</p> <p>2 Q. -- photo it's immediately next to the van that you were driving in, isn't it?</p> <p>3</p> <p>4 A. Yes.</p> <p>5 Q. Yes?</p> <p>6 A. Yes.</p> <p>7 Q. You have to take your hands away from your mouth, I'm sorry.</p> <p>8</p> <p>9 And -- and you have no reason to believe that that's not an accurate reflection of where the vehicles came to a stop, correct?</p> <p>10</p> <p>11</p> <p>12 A. Correct.</p> <p>13 Q. And just so that I'm clear, at no point do you recall telling any of the investigating officers, either Strongsville or the special agents from the Bureau of Criminal Investigation, that Mr. Evans grabbed your hand immediately before he was shot; is that correct?</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19 A. Correct.</p> <p>20 Q. And you don't remember that, is that also correct?</p> <p>21 A. Yeah, I don't remember.</p> <p>22 Q. It could have happened, you just don't recall?</p> <p>23 A. Correct.</p> <p>24 Q. Now, at some point, you were -- you and the kids were transported to the Strongsville police</p> <p>25</p>
Page 142	Page 144
<p>1 Q. -- to start up?</p> <p>2 Okay. You doing all right?</p> <p>3</p> <p>4 A. Yes.</p> <p>5 Q. So once the van came to a stop, do you have any memory of where Officer Miller's police cruiser was located?</p> <p>6</p> <p>7 A. No.</p> <p>8 Q. You're not able to say where it was in relation to the van, are you?</p> <p>9</p> <p>10 A. No.</p> <p>11 Q. Okay. Did you actually see Officer Miller get out of his cruiser and walk over to the van?</p> <p>12</p> <p>13 A. No.</p> <p>14 Q. Okay. So the first time you saw Officer Miller after the van stopped was when he opened the driver's side door; is that correct?</p> <p>15</p> <p>16</p> <p>17 A. Yes.</p> <p>18 Q. You're not able to place him at any point in the roadway or at any point in relation to the van until he opens the driver's side door, are you?</p> <p>19</p> <p>20</p> <p>21 A. Correct.</p> <p>22 Q. So the photos -- or the color copies of photos that make up Exhibit A and A-1 and show where Officer Miller's cruiser is located -- for instance, you can see in the first --</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 station, right?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Take --</p> <p>4 A. Sorry.</p> <p>5 Q. That's okay. It's common.</p> <p>6 Before I ask you what happened there, have you now described for me as best as you can recall, even if I've asked bad questions, everything that happened from the time the pursuit started until the time it concluded?</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11 A. Yes.</p> <p>12 Q. You haven't left anything out because I haven't been smart enough to ask the right question?</p> <p>13</p> <p>14 A. No.</p> <p>15 Q. That's very kind of you.</p> <p>16 Okay. So -- and there's nothing you want to add to or -- or take away from your testimony thus far, correct?</p> <p>17</p> <p>18</p> <p>19 A. Correct.</p> <p>20 Q. So when you get to the Strongsville police station, at some point you ask to make a telephone call; is that right?</p> <p>21</p> <p>22</p> <p>23 A. Yes.</p> <p>24 Q. And -- and your request is granted, right?</p> <p>25 A. Yes.</p>

Page 145	Page 147
<p>1 Q. What -- what do they do? Where do you make -- you</p> <p>2 make a series of telephone calls, don't you?</p> <p>3 A. Yes. I called three people that night, my -- my</p> <p>4 father --</p> <p>5 Q. Okay.</p> <p>6 A. -- Roy's mother and father, and my friend Amy.</p> <p>7 Q. So your dad's sitting right here --</p> <p>8 A. Yes.</p> <p>9 Q. -- right?</p> <p>10 And Roy's parents?</p> <p>11 A. Yes.</p> <p>12 Q. And that's --</p> <p>13 A. Jodi and --</p> <p>14 Q. Jodi --</p> <p>15 A. Yes.</p> <p>16 Q. -- and --</p> <p>17 A. Roy.</p> <p>18 Q. Roy. Is his nickname Senior?</p> <p>19 A. Yes.</p> <p>20 Q. I would have guessed.</p> <p>21 And your friend Amy?</p> <p>22 A. Yes.</p> <p>23 Q. And what's Amy's last name?</p> <p>24 A. Sharpless.</p> <p>25 Q. Spell it for me, please.</p>	<p>1 A. The officers that took me back to Strongsville</p> <p>2 police station -- when we walk into the police</p> <p>3 station, there's like glass to the side -- and I'm</p> <p>4 assuming that's where the officers have desks and</p> <p>5 stuff because there was lots of desks -- and they</p> <p>6 let me sit in there and we made phone calls. And</p> <p>7 then they finally put us in a room, but, you</p> <p>8 know -- more of a private room, but I did not make</p> <p>9 phone calls from that room.</p> <p>10 Q. Okay. So you -- all of the phone calls that you</p> <p>11 made were in the -- when you walk in the</p> <p>12 Strongsville police station, on your right -- and</p> <p>13 you come in through the front doors --</p> <p>14 A. Yes.</p> <p>15 Q. -- right?</p> <p>16 On your right, you see a big glass --</p> <p>17 A. Yes.</p> <p>18 Q. -- several -- what looks like several big windows,</p> <p>19 doesn't it?</p> <p>20 A. Yes.</p> <p>21 Q. Right.</p> <p>22 And behind those windows there's an</p> <p>23 officer who, if you were going to go --</p> <p>24 A. No, there was nobody.</p> <p>25 Q. No, no. Listen to my question. Behind those</p>
Page 146	Page 148
<p>1 A. S-h-a-r-p-l-e-s-s.</p> <p>2 Q. One more time, please?</p> <p>3 A. S-h-a-r-p-l-e-s-s.</p> <p>4 Q. And it's pronounced "Sharpleff"?</p> <p>5 A. Sharpless.</p> <p>6 Q. S-h-a-r-p-l-e --</p> <p>7 A. s-s.</p> <p>8 Q. s-s. I'm sorry.</p> <p>9 Where does Amy live?</p> <p>10 A. Elyria.</p> <p>11 Q. Where?</p> <p>12 A. 904 Case Avenue.</p> <p>13 Q. One more time.</p> <p>14 A. 904 Case Avenue.</p> <p>15 Q. Case Avenue.</p> <p>16 Tell me about your conversation with your</p> <p>17 father. What do you tell him?</p> <p>18 A. I mean, I don't remember everything. I mean, I'm</p> <p>19 sure I told him to come pick me up, that was</p> <p>20 probably my first thing, and that they shot Roy</p> <p>21 and that we were in a police chase.</p> <p>22 Q. Where -- where were you physically when you made</p> <p>23 these calls to your dad --</p> <p>24 A. They --</p> <p>25 Q. -- to Roy's parents and to Amy?</p>	<p>1 windows, there's a desk where an officer would sit</p> <p>2 if you needed to get directed to see somebody</p> <p>3 else. You remember there's like a -- a little --</p> <p>4 a phone handset you pick up to talk to that</p> <p>5 person -- the person on the other side of the</p> <p>6 window?</p> <p>7 A. No, I didn't go through -- no, we just went</p> <p>8 through doors. I -- I -- I don't recall --</p> <p>9 Q. Okay. That's fine.</p> <p>10 A. -- a desk or anything like that.</p> <p>11 Q. As you were talking, for instance, to your dad --</p> <p>12 A. Yes.</p> <p>13 Q. -- did you hear faint beeps from time to time?</p> <p>14 A. I did not pay attention. With everything going</p> <p>15 on, you know, I did not pay attention.</p> <p>16 Q. You yourself have been arrested before, right?</p> <p>17 We --</p> <p>18 A. Yes.</p> <p>19 Q. -- we -- we confirmed that. And -- and you knew</p> <p>20 then, just as you know now, that -- that</p> <p>21 telephones in police departments are recorded?</p> <p>22 MR. SCOTT: Objection.</p> <p>23 A. No, I was not aware that my phone calls were</p> <p>24 recorded. No, I was not.</p> <p>25</p>

Page 149	Page 151
<p>1 BY MR. RASKIN:</p> <p>2 Q. You were not?</p> <p>3 A. I was not aware of it, nor at the time -- I mean,</p> <p>4 I guess if you think -- if I were to think about</p> <p>5 it now, okay, I'm in a police station, yes,</p> <p>6 they're recorded, but given the incidents and the</p> <p>7 fact that they took my cell phone -- when they</p> <p>8 gave me a phone to call, no, I had no assumption</p> <p>9 that they were recording phone calls where I'm</p> <p>10 telling people that he passed away, no.</p> <p>11 Q. Okay. Tell me what -- so have you described</p> <p>12 everything you can recall that you said to your</p> <p>13 dad when you called him?</p> <p>14 A. That they shot him, we were on a police chase,</p> <p>15 probably "Come pick me up, I'm in Strongsville."</p> <p>16 Q. Anything else that you remember?</p> <p>17 A. That I told my dad, not that I recall, no.</p> <p>18 Q. Okay. And you called Jodi and Roy Sr.?</p> <p>19 A. Yes, I called them several times that night.</p> <p>20 Q. Okay. And can you tell me what you recall of</p> <p>21 those conversations?</p> <p>22 A. I believe the first conversation I told her they</p> <p>23 shot him. I wasn't aware that he was -- it wasn't</p> <p>24 confirmed that he was alive or dead yet. But</p> <p>25 prior to that, I talked to her in the van, you</p>	<p>1 Q. One time we know you spoke with Jodi during the</p> <p>2 pursuit?</p> <p>3 A. Yes.</p> <p>4 Q. Was there more than one phone call that you made</p> <p>5 to them from the police station?</p> <p>6 A. Yes.</p> <p>7 Q. Okay.</p> <p>8 A. It took a long time, it felt like, that night for</p> <p>9 anybody to come, so, yeah, I used the phone, I</p> <p>10 was --</p> <p>11 Q. Okay. Do you remember any parts of the</p> <p>12 conversation that you had with Roy's parents, any</p> <p>13 of the conversations? You've told me about what</p> <p>14 happened in the van.</p> <p>15 A. Well, I -- my conversations with them is me</p> <p>16 explaining to them what happened.</p> <p>17 Q. Right.</p> <p>18 And how about their responses to you?</p> <p>19 A. I don't recall.</p> <p>20 Q. Okay. Do you remember speaking with a</p> <p>21 Strongsville police officer named Steving,</p> <p>22 S-t-e-v-i-n-g?</p> <p>23 A. No.</p> <p>24 Q. Officer Steving?</p> <p>25 A. No.</p>
Page 150	Page 152
<p>1 know, so she knew we were on a police chase. I</p> <p>2 think I told her that Roy hit a police car and</p> <p>3 that he was running and that he didn't stop.</p> <p>4 Q. Anything else that you --</p> <p>5 A. And that they shot him.</p> <p>6 Q. Okay. Anything else that you can recall?</p> <p>7 A. No.</p> <p>8 Q. Do you recall what, if anything -- well, first of</p> <p>9 all, were they both on the line -- on the phone at</p> <p>10 the same time?</p> <p>11 A. They're always on the line at the same time.</p> <p>12 Q. Okay. I guess that saves one from having to tell</p> <p>13 the other one what was said, right?</p> <p>14 Do you recall what, if anything, either</p> <p>15 Jodi or Roy Sr. said to you?</p> <p>16 A. Probably just a lot of crying.</p> <p>17 Q. Okay. Again, I'm not asking you to guess. I'm</p> <p>18 asking do you remember what --</p> <p>19 A. No.</p> <p>20 Q. -- either of them said to you.</p> <p>21 A. No.</p> <p>22 Q. No.</p> <p>23 Now, you said you spoke with them several</p> <p>24 times.</p> <p>25 A. Yes.</p>	<p>1 Q. If I told you his report reflects that he spoke</p> <p>2 with you and you were actually in his patrol</p> <p>3 vehicle at the scene, would you recall being in a</p> <p>4 Strongsville police officer's patrol vehicle at</p> <p>5 the scene?</p> <p>6 A. I don't recall. I was in two police -- two</p> <p>7 separate police vehicles at the scene.</p> <p>8 Q. But you don't remember the names of either</p> <p>9 officer?</p> <p>10 A. Correct.</p> <p>11 Q. If I told you Officer Steving identified himself</p> <p>12 as having you in his patrol car, you wouldn't have</p> <p>13 any reason to dispute that, would you?</p> <p>14 A. I would assume that would be the person that drove</p> <p>15 me to the police station because one of the cars</p> <p>16 there was no cop, they just put me in there.</p> <p>17 Q. Well --</p> <p>18 A. And there was no officer in there, I should say,</p> <p>19 with me.</p> <p>20 Q. So I can help with you that. His report indicates</p> <p>21 that Officer Steving was advised by the sergeant</p> <p>22 to take the passengers of the suspect's vehicle</p> <p>23 back to the police station.</p> <p>24 A. So then yes, I -- I would say yes.</p> <p>25 Q. So you remember being in -- transported back?</p>

Page 153

1 A. Yes.

2 **Q. He says, in his report, that during the -- the**

3 **drive back to the police station from the scene**

4 **you stated that Mr. Evans was a [REDACTED]**

5 **[REDACTED] and he had not taken his meds for**

6 **two to three weeks. Do you remember saying that**

7 **to the police officer who was driving you back to**

8 **Strongsville?**

9 A. No, I don't remember saying it, but that's

10 about -- I mean, I would assume that that's about

11 the time he stopped taking his meds, so yes.

12 **Q. So you wouldn't deny saying it?**

13 A. I would not deny it.

14 **Q. Okay. And his report goes on to say that you**

15 **reported that, quote, She told him to stop as he**

16 **was speeding and passing the officer, he refused**

17 **to because he didn't have a driver's license. Do**

18 **you remember telling Officer Steving that?**

19 A. No.

20 **Q. But, again, you wouldn't dispute that you --**

21 A. I -- I wouldn't dispute any of it, no.

22 **Q. Do you remember telling Officer Steving, quote,**

23 **He's very [REDACTED] because he is not on his**

24 **medication, end quote?**

25 A. I don't recall.

Page 154

1 **Q. But, again, you wouldn't dispute saying that?**

2 A. I wouldn't dispute it, but, no, I don't recall.

3 **Q. Okay. And here's why I asked you the question**

4 **about the hand-holding, according to Officer**

5 **Steving's report, he says that he reported that he**

6 **overheard a phone conversation of the female, you,**

7 **at the police station where she stated, quote, He**

8 **was smoking a cigarette and holding her hand and**

9 **stated we did it, unquote. Officer Steving also**

10 **stated that the female then stated on the phone**

11 **call, quote, The officer opened the door and shot**

12 **my boyfriend, end quote. Do you remember saying**

13 **any of those things?**

14 A. I don't remember saying any of those things and I

15 would almost dispute it because why would I say to

16 Roy's parents or my father that they shot my

17 boyfriend. They obviously know who my boyfriend

18 is.

19 **Q. So you --**

20 A. So I mean, I --

21 **Q. Do you dispute --**

22 A. I just --

23 **Q. -- that this is what Officer Steving overheard?**

24 A. Yeah.

25 **Q. Okay. Because you remember not saying it?**

Page 155

1 A. Because it doesn't make -- that -- that section

2 saying he was holding my hand and I told them that

3 they shot my boyfriend, I would dispute saying

4 that because I would never refer to Roy as my

5 boyfriend. Where there was Junior, there

6 was Mandy. Where I was, he was. I would never

7 have to express that to a single person I knew, so

8 I'll dispute that.

9 **Q. So you deny that?**

10 A. Yes.

11 **Q. All right. How about the statement "He was**

12 **smoking a cigarette and holding her hand and**

13 **stated 'We did it'?"**

14 A. Yeah, I'll deny that, too. I don't recall any of

15 that.

16 **Q. So do you not --**

17 A. Was he -- no, he was smoking a cigarette.

18 **Q. So -- and he also said "We did it," right? You**

19 **didn't understand what that meant, but that's what**

20 **he said. I mean, you testified to that earlier,**

21 **right?**

22 A. Yes.

23 **Q. Okay. And the fact is --**

24 A. "We did it" or "We" -- something along that line.

25 I honestly can't even remember.

Page 156

1 **Q. And the fact of the matter is this is kind of a**

2 **blur at this point, isn't it?**

3 A. I mean, the whole thing's not a blur. I mean, I

4 guess, part -- some parts --

5 **Q. You remember?**

6 A. -- stay in your mind and other parts don't.

7 **Q. And you don't even know to whom you were speaking**

8 **on the phone with when Officer Steving is**

9 **describing what he hears you say?**

10 A. No, I -- I do not.

11 **Q. Right.**

12 **And it's true you don't have a specific**

13 **recollection of not saying, quote, He was smoking**

14 **a cigarette and holding her hand and stated "We**

15 **did it," unquote. You just don't think you would**

16 **have said that?**

17 A. Correct.

18 MR. RASKIN: What are we on? B?

19 THE NOTARY: Yes.

20 (Whereupon, Defendants' Exhibit B was

21 marked for identification.)

22 BY MR. RASKIN:

23 **Q. Showing you what I've marked for identification**

24 **purposes as Exhibit B.**

25 MR. SCOTT: Thank you.

Page 157

Page 159

1 BY MR. RASKIN:

2 **Q. And I will tell you this is a copy of the Amended**
3 **Complaint, that's -- that's legalese, but it's a**
4 **copy of the lawsuit that was filed on behalf of**
5 **Adam Fried as the Administrator, yourself**
6 **individually and as parent and next friend of your**
7 **three kids. You recognize their initials, right?**

8 A. Yes.

9 **Q. Yes?**

10 A. Yes.

11 **Q. So -- and this is called an Amended Complaint**
12 **which means this is the second lawsuit that was**
13 **filed, that's not -- not that there was another**
14 **case, but there was an initial lawsuit filed and**
15 **then a second one, which is why this is referred**
16 **to as an Amended Complaint. Do you see that in**
17 **the little caption there?**

18 **Let me ask you: Have you seen this**
19 **before?**

20 A. Yes.

21 THE WITNESS: This is the one that you
22 gave me?

23 BY MR. RASKIN:

24 **Q. Wait. You can't ask your lawyer.**

25 A. I can't ask questions?

Page 158

1 **Q. You can't ask your lawyer a question that --**
2 **you -- you can say, "Hey, I need to talk to my**
3 **lawyer" and excuse yourself and do that, but you**
4 **can't ask him to help you answer the question.**

5 A. Can I talk to my lawyer?

6 **Q. Sure. But when you do that, take the microphone**
7 **off.**

8 THE VIDEOGRAPHER: We're going to go off
9 the record. The time is 1:09:20. Off of the
10 record.

11 (Discussion off the record.)

12 THE VIDEOGRAPHER: We're back on the
13 record. The time is 1:09:44. On the record.

14 BY MR. RASKIN:

15 **Q. Okay. So I'm going to ask you some questions**
16 **about certain paragraphs in this lawsuit, and what**
17 **I'm going to ask you to do is read -- you know,**
18 **I'll say, "Would you please read paragraph No. 7**
19 **and tell me when you're done," and then I'll ask**
20 **you a question about it, by way of example.**

21 **That's not the -- the paragraph I'm going --**

22 A. Yeah.

23 **Q. -- to point you to, but -- so you know how we're**
24 **going to do this, right?**

25 A. Yes.

1 **Q. Okay. Fair enough.**

2 **All I have to do is get to my notes.**

3 **All right. Would you read paragraph**
4 **No. 16 to yourself and tell me when you're done,**
5 **that's on page 4. Page numbers are at the bottom.**
6 **Are you done?**

7 A. Yes.

8 **Q. Okay. It's just one sentence. That's an easy**
9 **one, right?**

10 A. Yes.

11 **Q. Okay. That's not true, is it?**

12 A. Some of the time he was.

13 **Q. Okay. But when -- when he was engaged with the**
14 **police, he wasn't operating the vehicle at the**
15 **speed limit. He was speeding, wasn't he?**

16 A. At times.

17 **Q. Well, remember --**

18 A. Yes, at -- at times -- at times he did speed, but
19 then there was plenty of times that he lit a
20 cigarette and slowed down.

21 **Q. Sure.**

22 A. Yes.

23 **Q. But when he was -- initially came in contact with**
24 **the police cruiser -- remember I asked you earlier**
25 **today and I read to you from a report that said he**

Page 160

1 **was driving at 80 miles per hour, the speed limit**
2 **was 60 miles per hour, and you agreed that was**
3 **correct.**

4 A. Uh-huh.

5 **Q. Right?**

6 A. Yes.

7 **Q. So when -- when Roy first came into contact with**
8 **the Strongsville Police Department -- even if you**
9 **didn't know it was Strongsville, you knew it was a**
10 **police officer.**

11 A. Yes.

12 **Q. -- he was driving at 20 miles over the speed**
13 **limit?**

14 A. Approximately. I --

15 **Q. Okay.**

16 A. I don't know.

17 **Q. Fair enough. Fair enough.**

18 **Read paragraph 18 to yourself and tell me**
19 **when you're done.**

20 A. I'm done.

21 **Q. I believe you earlier testified that you didn't**
22 **know when or even that Roy had turned off his**
23 **headlights; is that right?**

24 A. Correct.

25 **Q. Okay. So this statement in paragraph 18 that "A**

Page 161	Page 163
<p>1 Strongsville police officer noticed that the van's 2 headlights were not on and began to pursue the 3 vehicle," there's no possible way you can say 4 that's true, is there? 5 MR. SCOTT: Objection. 6 You can answer. 7 A. Can I say if a Strongsville police officer noticed 8 that a van's headlights were not on? I mean, I 9 can't say. You guys told me. 10 BY MR. RASKIN: 11 Q. But there's -- take your hand away from your 12 mouth, please. 13 There's no way you can say that that's a 14 true statement, is there? 15 MR. SCOTT: Same objection. 16 You can answer. 17 A. I can't say it, no. 18 BY MR. RASKIN: 19 Q. Okay. Fair enough. 20 Take a look at paragraph No. 22, please, 21 on the next page. Read that and tell me when 22 you're done. 23 A. I'm done. 24 Q. This paragraph says that "The pursuing 25 Strongsville officers could see inside Evans'</p>	<p>1 Q. Correct. 2 But you can't testify that any of the 3 officers were ever able to see that there were 4 kids in the van, can you? 5 MR. SCOTT: Objection. 6 BY MR. RASKIN: 7 Q. Until after it stopped and it was all over. 8 A. I can't testify if they noticed D■■■■ or not. I 9 mean, he's 5 foot 11, so it's hard for me to think 10 that they wouldn't have noticed him. I mean, he's 11 a tall -- I mean, but those are my thoughts. 12 Q. Right. 13 A. So can I -- 14 Q. But I'm asking you about -- 15 A. Sorry. 16 Q. -- facts. You cannot testify that any of the 17 Strongsville officers during the pursuit could see 18 inside the van? 19 A. I can't testify what anybody seen. 20 Q. Okay. Fair enough. 21 All right. Likewise, you can't testify 22 that the Strongsville police officers could see 23 that Evans lit a cigarette, can you? 24 MR. SCOTT: Objection. 25 You can answer.</p>
Page 162	Page 164
<p>1 van." There's no way that you know what the 2 officers could see or couldn't see, is there? 3 MR. SCOTT: Objection. 4 You can answer. 5 A. I don't know what they seen. I do know that 6 several people have told me that they watched the 7 video and that they noticed D■■■■, that they 8 personally noticed. Can I tell you what somebody 9 seen or thought, no, I -- I can't answer anybody's 10 questions. 11 BY MR. RASKIN: 12 Q. So this -- so this claim in numbered paragraph 22 13 you can't possibly say is correct? 14 MR. SCOTT: Objection. 15 You can answer. 16 A. I can't say it's incorrect either. 17 BY MR. RASKIN: 18 Q. Right. 19 You can't say it one way or another? 20 A. Correct. 21 Q. And that's likewise true that you can't say -- 22 can't say that it's true that the officers could 23 see there were other occupants in the van apart 24 from yourself? 25 A. They definitely knew I was in the van.</p>	<p>1 A. Oh, no, there's audio where they -- he says he lit 2 a -- lit a cigarette, so I can say that they -- 3 they knew. Can I say that if I wouldn't have 4 heard the audio where somebody calls in "He's 5 lighting a cigarette," then, no, I couldn't tell 6 you whether or not they knew, but I know that they 7 knew from the audio. 8 BY MR. RASKIN: 9 Q. Okay. Take a look at page 6, paragraph 29, 10 please. 11 A. I read it. 12 Q. Okay. Do you know what any of this means? 13 A. Yes. 14 Q. You do? 15 Okay. Did -- did you hear or see 16 anything which led you to conclude that you know 17 what the Strongsville supervisor ordered his 18 officers to do or not do once the van that you 19 were riding in came to a stop? 20 A. Did I -- did I hear it on scene, no. 21 Q. Did you hear it at some other point? 22 A. Yes. 23 Q. When and how? 24 A. I heard it on -- I don't know what they're called. 25 It's -- I heard audio, and that's exactly what</p>

Page 165	Page 167
<p>1 they said.</p> <p>2 Q. What did -- where was the -- what is the source of</p> <p>3 the audio? Where did you hear it and -- and what</p> <p>4 is the audio that you heard?</p> <p>5 A. I heard -- I -- I don't know what it would be</p> <p>6 called, where the police are speaking to each</p> <p>7 other over a CB.</p> <p>8 Q. And how did you get access to that audio?</p> <p>9 A. A newscaster sent it to me.</p> <p>10 Q. A newscaster sent it?</p> <p>11 A. Correct.</p> <p>12 Q. Do you know that that audio -- whether or not that</p> <p>13 audio was altered in any way?</p> <p>14 A. Do I know, no.</p> <p>15 Q. Did the newscaster use that audio -- well, first</p> <p>16 of all, who is the newscaster?</p> <p>17 A. Jessica Dill.</p> <p>18 Q. I'm sorry?</p> <p>19 A. Jessica Dill.</p> <p>20 Q. Jessica Dill?</p> <p>21 A. Yes.</p> <p>22 Q. And forgive me, I must not watch that local</p> <p>23 station. Who --</p> <p>24 A. Fox 8.</p> <p>25 Q. Fox 8.</p>	<p>1 What did she email?</p> <p>2 A. All the audio.</p> <p>3 Q. What -- I mean --</p> <p>4 A. All -- all the audios from -- from the -- I'm</p> <p>5 sorry, I don't know the proper names.</p> <p>6 Q. That's okay.</p> <p>7 A. The --</p> <p>8 Q. Audio communications, let's call it that.</p> <p>9 A. All the audio communications.</p> <p>10 Q. How did she email it to you? Did she -- did she</p> <p>11 email it as an attachment to a file?</p> <p>12 A. I can't be sure. I mean, I have the email, but I</p> <p>13 can't be sure of how she sent it.</p> <p>14 Q. You saved the email?</p> <p>15 A. Absolutely.</p> <p>16 Q. And you saved the attachment with the audio?</p> <p>17 A. Yes.</p> <p>18 Q. And you listened to it?</p> <p>19 A. Yes.</p> <p>20 Q. But not on March 7, on some other date --</p> <p>21 A. Right, correct.</p> <p>22 Q. -- after March 7?</p> <p>23 A. Yes.</p> <p>24 Q. Numbered paragraph 34, it says "Miller fired</p> <p>25 repeatedly. He paused briefly between each shot."</p>
Page 166	Page 168
<p>1 And so did Jessica Dill reach out to you</p> <p>2 for an interview?</p> <p>3 A. She somehow was acquainted with Roy's parents,</p> <p>4 they're -- they're not friends or anything, but</p> <p>5 something had happened over by where they lived.</p> <p>6 And, yes, when I arrived at Roy -- Roy's parents'</p> <p>7 house, she was there.</p> <p>8 Q. On March --</p> <p>9 A. 7th.</p> <p>10 Q. -- 7?</p> <p>11 A. Yes.</p> <p>12 Q. So you were interviewed by Jessica Dill on</p> <p>13 March 7?</p> <p>14 A. Yes.</p> <p>15 Q. And did she play for you what she told you was an</p> <p>16 audio of some of the --</p> <p>17 A. No. I'm sorry. I'm --</p> <p>18 Q. That's okay. That's all right.</p> <p>19 Did she play for you what she told you</p> <p>20 was an audio of -- of some communications between</p> <p>21 the Strongsville police officers?</p> <p>22 A. No, she emailed it to me.</p> <p>23 Q. She what?</p> <p>24 A. She emailed it to me.</p> <p>25 Q. She emailed.</p>	<p>1 That's not true, is it?</p> <p>2 A. Yes, he shot twice. He didn't shoot once --</p> <p>3 Q. I mean, he didn't shoot repeatedly. He shot</p> <p>4 twice, right?</p> <p>5 MR. SCOTT: Objection.</p> <p>6 You can answer.</p> <p>7 A. I mean, that would repeat after the first shot,</p> <p>8 so --</p> <p>9 BY MR. RASKIN:</p> <p>10 Q. What you mean to say is he shot him twice. Isn't</p> <p>11 that a truthful statement?</p> <p>12 A. Yes, he shot him twice.</p> <p>13 Q. Okay.</p> <p>14 A. He paused in between each shot.</p> <p>15 Q. How much time went by when you say "He paused in</p> <p>16 between each shot"? I thought I understood your</p> <p>17 earlier testimony to be that the shots were almost</p> <p>18 instantaneous, now are you telling me there was a</p> <p>19 pause -- a perceptible pause between the first</p> <p>20 shot and the second shot?</p> <p>21 A. I can't tell you how long, it was a second.</p> <p>22 Q. The fact is you don't know, do you?</p> <p>23 A. I mean, I remember what I heard, but, I mean, I --</p> <p>24 I don't know how to explain it to you guys. I</p> <p>25 mean, it was -- it was -- it wasn't like "Boom,</p>

Page 169	Page 171
<p>1 boom." It was "Boom. Boom."</p> <p>2 Q. Okay.</p> <p>3 A. He shot, he fell, I seen, he shot again.</p> <p>4 Q. Okay. So you just said "Boom. Boom," and that's</p> <p>5 what you think is an accurate reflection of the</p> <p>6 time between the first shot and the second shot,</p> <p>7 is that right, as you recall it now?</p> <p>8 A. Yes.</p> <p>9 Q. Fair enough.</p> <p>10 And to be clear, how much -- so that</p> <p>11 sounded to me like a second or two.</p> <p>12 A. Yeah.</p> <p>13 Q. Okay. Is that what you meant it to be, a second</p> <p>14 or two between the first shot and the second shot?</p> <p>15 A. Yes.</p> <p>16 Q. Do you know where Sergeant Kelley was when either</p> <p>17 of the two shots were fired?</p> <p>18 A. No.</p> <p>19 Q. You're not able to say that Sergeant Kelley was in</p> <p>20 a position to intervene and prevent the second</p> <p>21 shot from being fired, are you?</p> <p>22 A. No. Well, it depends. Was Sergeant Kelley the</p> <p>23 person that was standing outside? There was two</p> <p>24 officers out my van door.</p> <p>25 Q. On what side of the van?</p>	<p>1 that either Sergeant Kelley or Officer Miller</p> <p>2 received?</p> <p>3 A. No.</p> <p>4 Q. Okay. You're not prepared to testify what that</p> <p>5 training consisted of and whether or not it was</p> <p>6 adequate, are you?</p> <p>7 A. No, I -- I couldn't tell you.</p> <p>8 Q. Okay. Thank you.</p> <p>9 MR. RASKIN: Let's go off the record.</p> <p>10 I'm about 10 minutes from having to take</p> <p>11 that call, if you don't mind.</p> <p>12 THE VIDEOGRAPHER: We're going to go off</p> <p>13 the record. The time is 1:23:11. Off the</p> <p>14 record.</p> <p>15 (Recess was taken.)</p> <p>16 THE VIDEOGRAPHER: We're back on the</p> <p>17 record. The time is now 2:31:17. On the</p> <p>18 record.</p> <p>19 MR. RASKIN: I apologize for the delay.</p> <p>20 The -- the conference call took longer than I</p> <p>21 expected, so please forgive me if this holds</p> <p>22 you over a little bit longer than you were</p> <p>23 hoping.</p> <p>24 BY MR. RASKIN:</p> <p>25 Q. Okay. So let me ask you some questions about the</p>
Page 170	Page 172
<p>1 A. On the driver's side.</p> <p>2 Q. Okay.</p> <p>3 A. There was two people -- there was two cops.</p> <p>4 Q. Two police officers?</p> <p>5 A. I couldn't tell you the -- I mean, I know the one</p> <p>6 is Miller. I still can't tell you who the second</p> <p>7 one is.</p> <p>8 Q. They were two police officers, right?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. And so -- so -- but you can't identify the</p> <p>11 second police officer as being Sergeant Kelley,</p> <p>12 can you?</p> <p>13 A. No. I could not identify any of the police</p> <p>14 officers at that time, no.</p> <p>15 Q. Well, did you see a police officer standing</p> <p>16 outside of the driver's side of the van with</p> <p>17 sergeant stripes on his uniform, forget about</p> <p>18 whether you knew his name or not?</p> <p>19 A. I couldn't tell you what -- if he had stripes, I'm</p> <p>20 sorry.</p> <p>21 Q. That's okay.</p> <p>22 A. I'm not that observant. I'm -- I -- I can't say.</p> <p>23 Q. That's fine.</p> <p>24 Now, have you had an opportunity to look</p> <p>25 at any of the training records of the training</p>	<p>1 answers to interrogatories. You remember you were</p> <p>2 served with a series of written questions that --</p> <p>3 A. Yes.</p> <p>4 Q. -- I asked you to answer.</p> <p>5 You -- you can close that lawsuit, I</p> <p>6 think we're done with that.</p> <p>7 Okay. We've covered that.</p> <p>8 Do you have any report -- are you aware</p> <p>9 that your lawyers have hired expert witnesses to</p> <p>10 testify on your behalf in this case?</p> <p>11 A. Yes.</p> <p>12 Q. Are you aware of any of the opinions that those</p> <p>13 experts have? And if so, I don't want you to</p> <p>14 share with me any information you got from your</p> <p>15 lawyers. But if you've seen reports that they've</p> <p>16 written, I'm interested in knowing what you've</p> <p>17 seen.</p> <p>18 A. No, not yet.</p> <p>19 Q. Okay. Have you seen the report of -- of the</p> <p>20 Bureau of Criminal Identification?</p> <p>21 A. Yes.</p> <p>22 Q. Okay.</p> <p>23 MR. RASKIN: What is this? C?</p> <p>24 THE NOTARY: C.</p> <p>25 MR. RASKIN: Yes?</p>

Page 173	Page 175
<p>1 THE NOTARY: Yes.</p> <p>2 (Whereupon, Defendants' Exhibit C was</p> <p>3 marked for identification.)</p> <p>4 BY MR. RASKIN:</p> <p>5 Q. Let me show you what I've marked for</p> <p>6 identifications purposes as Defendant's Exhibit C.</p> <p>7 MR. SCOTT: Thank you.</p> <p>8 MR. RASKIN: You're welcome.</p> <p>9 BY MR. RASKIN:</p> <p>10 Q. Now, tell me, can you identify Exhibit C as the</p> <p>11 report that you've seen? Take whatever time you</p> <p>12 need to review it.</p> <p>13 A. Yes.</p> <p>14 Q. When you read this report, did you contact the</p> <p>15 author of the report, Special Agent Moran, and</p> <p>16 tell him that any of the information contained in</p> <p>17 the report was inaccurate or incorrect?</p> <p>18 A. No.</p> <p>19 Q. Thank you.</p> <p>20 When you were living with Roy, how did</p> <p>21 you share expenses?</p> <p>22 A. We didn't really have a way. We just --</p> <p>23 Q. In other words, did you -- did you take your</p> <p>24 earnings -- well, first of all, did you have a</p> <p>25 joint bank account?</p>	<p>1 Q. Well, how much --</p> <p>2 A. I can't give you an amount because I can't tell</p> <p>3 you. I mean, were there times maybe when his</p> <p>4 carpet was slow and my income had to pay the rent,</p> <p>5 of course. Then were there times -- especially</p> <p>6 when I danced, he -- he did not want me to dance,</p> <p>7 so there -- I mean, we'd go two, three months and</p> <p>8 I wouldn't work and he would fully support.</p> <p>9 Q. But in the five years preceding his death, you --</p> <p>10 you worked as a nursing assistant --</p> <p>11 A. Yes.</p> <p>12 Q. -- and you were earning approximately \$11 an hour</p> <p>13 working about 35 hours a week. So in round</p> <p>14 numbers --</p> <p>15 A. Prior to him going to prison, he paid for</p> <p>16 everything. When he -- when he came home from</p> <p>17 prison -- the day after he came home from prison,</p> <p>18 he got employed at A1 Welding and he worked there</p> <p>19 for a few months. And, I mean, he -- he provided.</p> <p>20 It was never a breakdown.</p> <p>21 Q. So what -- what did you do with the money that you</p> <p>22 earned? Did that also contribute to the</p> <p>23 household?</p> <p>24 A. Yeah.</p> <p>25 Q. Okay. So you were earning gross 350, 360 a week?</p>
Page 174	Page 176
<p>1 A. No.</p> <p>2 Q. Okay. So, for instance, how did you decide who</p> <p>3 paid the rent, who paid the utilities, who paid</p> <p>4 all of -- who purchased food? How did you do</p> <p>5 that?</p> <p>6 A. It was just -- it was never really like a</p> <p>7 question. I mean, we usually would just keep our</p> <p>8 money upstairs in the dresser drawer. We didn't</p> <p>9 have bank accounts, neither one of us did. And, I</p> <p>10 mean, we just -- we just lived. I mean, it was</p> <p>11 never really a discussion. It wasn't who paid</p> <p>12 what or where, we were -- we were one, we were a</p> <p>13 unit.</p> <p>14 Q. Well, I guess what I'm interested in -- in trying</p> <p>15 to understand is how much financial support did</p> <p>16 Roy provide for you and the children? Of the</p> <p>17 \$25,000 per year that he earned, how much of that</p> <p>18 was attributable to -- how much of that went to</p> <p>19 your support?</p> <p>20 A. I mean, he -- he -- it was -- I can't break it</p> <p>21 down. It was complete support. If it would have</p> <p>22 been up to Roy, I would have never even worked. I</p> <p>23 would have just been a stay-at-home mother. Roy</p> <p>24 took care of us. I mean, he took -- did for his</p> <p>25 kids. He did -- he -- that's just the man he was.</p>	<p>1 A. Probably less than that.</p> <p>2 Q. You said ten seventy-five an hour --</p> <p>3 A. Yes.</p> <p>4 Q. -- times 35 hours.</p> <p>5 A. Yes. Or whatever it is, yes.</p> <p>6 Q. Okay. All right. And so you would --</p> <p>7 A. I mean, yes, I -- I would pay bills, yes.</p> <p>8 Q. So you would contribute your take-home pay --</p> <p>9 A. Absolutely.</p> <p>10 Q. -- towards the household?</p> <p>11 A. Yes.</p> <p>12 Q. And Roy, who wasn't paying taxes most years, would</p> <p>13 contribute approximately 2,000 a month towards the</p> <p>14 household?</p> <p>15 A. I can't tell you approximately anything. All I</p> <p>16 can tell you is that we paid the bills together.</p> <p>17 We never split anything 50/50. If we were at a</p> <p>18 store and I wanted to go shopping and he had</p> <p>19 money, he took me shopping. If my children wanted</p> <p>20 something, their father bought it for them. I</p> <p>21 mean, he split expenses as a normal father would</p> <p>22 as my father did with my mother, I'm sure as Joe</p> <p>23 did, and I'm sure as you did.</p> <p>24 Q. Okay. As a result of the events which are the</p> <p>25 subject matter of your lawsuit, is there anything</p>

Page 177

1 **that you personally -- any activities, anything at**
 2 **all that you personally were able to do before**
 3 **March of 2017 that you're no longer able to do**
 4 **now?**
 5 A. I don't understand. What do you mean by
 6 "activities"?
 7 **Q. Anything at all. In other words, as a result**
 8 **of -- of the shooting on March 7, 2017, is there**
 9 **anything that you feel that you are no longer able**
 10 **to do emotionally, physically that you were able**
 11 **to do before the shooting?**
 12 A. I mean, I have a hard time answering that
 13 question. You're not talking about -- I mean, of
 14 course, emotionally, there's lots of things I
 15 don't want to do because that's something me and
 16 Roy may have done together. I mean, yeah, that --
 17 there are a lot of things in that aspect.
 18 **Q. Such as?**
 19 A. Camping, Roy loved to camp, Roy loved to fish. I
 20 mean, he took the kids consistently. They have
 21 yet to go since their father passed. I mean,
 22 there's certain things, you know, that they're
 23 memories that are hard to deal with.
 24 **Q. Have you begun dating again?**
 25 A. Yes.

Page 178

1 **Q. Are you involved in a relationship?**
 2 A. I'm dating someone, if that's what you're asking,
 3 yes.
 4 **Q. How long have you been --**
 5 A. I mean --
 6 **Q. First of all, what's the person's name?**
 7 A. His name is Jose.
 8 **Q. Does Jose have a last name?**
 9 A. Cortez.
 10 **Q. Cortez, C-o-r-t-e-z?**
 11 A. Yes.
 12 **Q. And how long has -- have you been dating Jose?**
 13 A. A month or two.
 14 **Q. But you maintain separate residences?**
 15 A. Yes.
 16 **Q. And where does he reside?**
 17 A. He resides in Elyria. I can't think of his
 18 address, I just know the house. Sorry. Oberlin
 19 Avenue in Elyria.
 20 **Q. Tell me the kinds of activities Roy engaged in**
 21 **other than camping and fishing with the kids,**
 22 **please.**
 23 A. Everyday activities of going to the park or we
 24 would go to the beach a lot. He did everything
 25 with the kids. He was a great father.

Page 179

1 **Q. Right.**
 2 **But help me to understand -- when you say**
 3 **"everything," again, you know what you mean by**
 4 **that, I don't know what you mean by that.**
 5 A. I mean, typical day-to-day living. Playing with
 6 them, teaching them, you know, games. I mean,
 7 watching movies with them.
 8 **Q. On average --**
 9 A. Going to amusement parks with them. He enjoyed
 10 taking the kids to carnivals.
 11 **Q. On average, how many hours a week did he spend**
 12 **interacting with the kids?**
 13 A. All the time.
 14 **Q. How about the kids that didn't live with you?**
 15 A. D■■■■, all the time.
 16 **Q. So D■■■■ -- was D■■■■ essentially a member of**
 17 **your family --**
 18 A. Absolutely.
 19 **Q. -- even though --**
 20 A. Absolutely.
 21 **Q. -- he didn't live there?**
 22 A. Absolutely.
 23 **Q. So why didn't he pay child support if he was so**
 24 **devoted to D■■■■?**
 25 A. He supported him 100 percent, that's why his

Page 180

1 mother never pushed the issue. I mean, if he
 2 needed school clothes, Roy bought the school
 3 clothes. If he needed shoes, Roy bought -- bought
 4 the shoes. If he needed -- anything for
 5 Jennifer's house, he always, always supported.
 6 And it wasn't -- with that, it wasn't just "I'm
 7 going to pick you up from your mother's and drop
 8 you off," we were friends, she was part of our
 9 family. We did holidays together. I mean --
 10 **Q. "She" being the mother?**
 11 A. Yes. Me and her still communicate. Her other
 12 children came to my house. I would watch her
 13 children, she would watch my children. Like, you
 14 know, it was very intertwined.
 15 **Q. Did Roy leave a will?**
 16 A. No.
 17 **Q. Did he -- did he have any assets that were**
 18 **bequeathed to his children?**
 19 A. No.
 20 **Q. Did Roy have any type of retirement or pension**
 21 **plan?**
 22 A. I don't believe so.
 23 **Q. Okay. I think you said he had no bank accounts;**
 24 **is that right?**
 25 A. No, he didn't.

Page 181	Page 183
<p>1 Q. Did Roy provide any support for his parents?</p> <p>2 A. I mean, if they needed something and they asked</p> <p>3 him, of course he would.</p> <p>4 Q. I didn't ask what he would do, I asked if you know</p> <p>5 what he did do.</p> <p>6 Did he provide any financial support for</p> <p>7 his parents that you're aware of?</p> <p>8 A. I mean, has he ever given them money, yes. Can I</p> <p>9 tell you for what or where or when, no.</p> <p>10 Q. So you know he's provided some money to his</p> <p>11 parents over the years but can't say how much --</p> <p>12 A. Correct.</p> <p>13 Q. -- or when?</p> <p>14 Did Roy provide any physical care for his</p> <p>15 parents?</p> <p>16 A. No.</p> <p>17 Q. Parents in pretty good health?</p> <p>18 A. His mother is not.</p> <p>19 Q. Did he provide any care for his mother?</p> <p>20 A. No.</p> <p>21 Q. When Roy was -- when Roy was shot for the first</p> <p>22 time, did you observe any level of consciousness</p> <p>23 at all?</p> <p>24 A. No.</p> <p>25 Q. Okay.</p>	<p>1 that the photos depict reflect the vehicles that</p> <p>2 you recall being at the scene or represent the</p> <p>3 vehicles you recall being at the scene?</p> <p>4 A. Yeah, they would represent them.</p> <p>5 Q. And you wouldn't have any facts to share with me</p> <p>6 that the damage that's shown in those photos</p> <p>7 didn't occur as a result of the impact with the</p> <p>8 van that you were riding in on March 6, 2017,</p> <p>9 correct?</p> <p>10 A. Correct.</p> <p>11 Q. March 7, 2017.</p> <p>12 Did you ever talk to Sergeant Kelley</p> <p>13 about what happened?</p> <p>14 A. No.</p> <p>15 Q. What about Patrolman Miller? Did you ever talk to</p> <p>16 Patrolman Miller about what happened?</p> <p>17 A. No.</p> <p>18 Q. Tell me what your interaction with the -- with</p> <p>19 anybody from Strongsville Police Department was</p> <p>20 following the incident of -- of March 7, 2017.</p> <p>21 A. The car ride from the scene to Strongsville Police</p> <p>22 Department.</p> <p>23 Q. That was Officer Steving, right?</p> <p>24 A. That -- that would be my only interaction.</p> <p>25 Q. Okay. How about once you got to the police</p>
Page 182	Page 184
<p>1 A. He lost all consciousness at that time.</p> <p>2 Q. From the first shot?</p> <p>3 A. From the first shot, he lost consciousness.</p> <p>4 Q. I think I asked you this question, but I just want</p> <p>5 to make sure: You don't have any facts or</p> <p>6 information at all concerning the extent and level</p> <p>7 of training received by either Sergeant Kelley or</p> <p>8 Officer Miller, do you?</p> <p>9 A. I do not believe so.</p> <p>10 Q. If you would take a look at the other photos in</p> <p>11 Exhibit A that -- that we --</p> <p>12 A. This one?</p> <p>13 Q. -- haven't separated out. These photos right here</p> <p>14 in Exhibit A.</p> <p>15 A. I probably should put my glasses on, huh?</p> <p>16 Q. That's fine.</p> <p>17 You'll see that there are various photos</p> <p>18 of damage to the Strongsville Police Department</p> <p>19 police vehicles that were involved in the incident</p> <p>20 on March 6, 2017, correct?</p> <p>21 A. Yes.</p> <p>22 Q. Do you have any facts to share with me that those</p> <p>23 photos are not accurate in any way?</p> <p>24 A. No.</p> <p>25 Q. You would agree with me that -- that the vehicles</p>	<p>1 station? Were you interviewed by anybody</p> <p>2 affiliated with Strongsville Police?</p> <p>3 A. No. No, I was not interviewed. That -- that room</p> <p>4 I'm talking about that had all the phones in it,</p> <p>5 there were no police officers in there. There was</p> <p>6 a victim's advocate person that came with another</p> <p>7 officer, I don't know if it was an officer on</p> <p>8 scene or not, and told me Roy passed away later</p> <p>9 on.</p> <p>10 Q. Did you have any other interaction with the</p> <p>11 victim's advocate apart from being told that</p> <p>12 Ray -- Roy had passed away?</p> <p>13 A. They brought an indictment on Miller to my house</p> <p>14 in Avon and they were actually putting it on my</p> <p>15 door when I pulled up from work.</p> <p>16 Q. You're aware that --</p> <p>17 A. It was a victim's advocate lady because I remember</p> <p>18 her saying that.</p> <p>19 Q. Yeah. You're aware that Officer Miller was -- was</p> <p>20 presented to the grand jury?</p> <p>21 A. Yes, I'm aware.</p> <p>22 Q. And you're aware that the grand jury did not</p> <p>23 choose to indict him?</p> <p>24 MR. SCOTT: Objection.</p> <p>25 You can answer if you know.</p>

Page 185	Page 187
<p>1 A. I'm aware.</p> <p>2 BY MR. RASKIN:</p> <p>3 Q. Okay. So when you say they brought an indictment</p> <p>4 to your house of Officer Miller --</p> <p>5 A. Well, I'm sorry.</p> <p>6 Q. No, no, that's okay. I just want to make sure</p> <p>7 that the record is clear.</p> <p>8 You're aware Officer Miller was never</p> <p>9 indicted for any conduct whatsoever relating to</p> <p>10 the events of March 7, 2017, aren't you?</p> <p>11 A. Yes.</p> <p>12 MR. SCOTT: Objection.</p> <p>13 You can answer.</p> <p>14 BY MR. RASKIN:</p> <p>15 Q. And for that matter, you're aware that no one else</p> <p>16 was either, correct?</p> <p>17 A. Correct.</p> <p>18 MR. SCOTT: Objection.</p> <p>19 BY MR. RASKIN:</p> <p>20 Q. Are you aware that -- that Sergeant Kelley gave a</p> <p>21 statement to the Bureau of Criminal</p> <p>22 Investigation --</p> <p>23 A. Yes.</p> <p>24 Q. -- concerning the events?</p> <p>25 A. Yes.</p>	<p>1 BY MR. RASKIN:</p> <p>2 Q. You -- you don't dispute the fact that that's what</p> <p>3 Sergeant Kelley said in describing --</p> <p>4 A. I do not dispute it.</p> <p>5 Q. -- his feelings, do you?</p> <p>6 A. Correct.</p> <p>7 Q. Do you recall when the four police vehicles</p> <p>8 surrounded the van that Roy slowed down or did he</p> <p>9 maintain the same speed even though he was</p> <p>10 surrounded by police vehicles?</p> <p>11 A. I don't recall.</p> <p>12 Q. You can't say one way or another?</p> <p>13 A. I can't say one way or the other.</p> <p>14 Q. Do you remember Roy maneuvering the van so that he</p> <p>15 got away from those four vehicles, police</p> <p>16 vehicles?</p> <p>17 A. I don't recall.</p> <p>18 Q. Well, if -- if he hadn't gotten away from the four</p> <p>19 police vehicles that surrounded him, he would have</p> <p>20 stopped then and there, right?</p> <p>21 A. Well, then, he got away.</p> <p>22 Q. Right, and that's my point.</p> <p>23 So you do remember that after Roy was</p> <p>24 surrounded by the four police vehicles, he still</p> <p>25 got away from them and the pursuit continued,</p>
Page 186	Page 188
<p>1 Q. Did you -- did you read that statement at some</p> <p>2 point?</p> <p>3 A. I -- I didn't read the entire statements. I've</p> <p>4 had a difficult time going over the BCI reports.</p> <p>5 I have glanced through them. So if you bring</p> <p>6 something up, I may or may not know it.</p> <p>7 Q. Sure.</p> <p>8 Do you recall Sergeant Kelley saying</p> <p>9 specifically that Roy intentionally drove into</p> <p>10 him, he's never experienced anything like that and</p> <p>11 he was very scared?</p> <p>12 MR. SCOTT: Objection.</p> <p>13 You can answer.</p> <p>14 A. Yes.</p> <p>15 BY MR. RASKIN:</p> <p>16 Q. And you have no reason to disbelieve the</p> <p>17 truthfulness of what Sergeant Kelley said, do you?</p> <p>18 MR. SCOTT: Objection.</p> <p>19 You can answer.</p> <p>20 A. I mean, from the videos, he kind of pulls in front</p> <p>21 of it. So do I believe that he was hit and Roy</p> <p>22 rammed his vehicle and he wasn't scared for his</p> <p>23 life, no, I don't believe it, but I'm not -- just</p> <p>24 my opinion.</p> <p>25</p>	<p>1 correct?</p> <p>2 A. Correct.</p> <p>3 Q. Did you see how close Officer Miller's vehicle</p> <p>4 came to the guardrail after Roy rammed his</p> <p>5 vehicle?</p> <p>6 MR. SCOTT: Objection.</p> <p>7 You can answer.</p> <p>8 A. No.</p> <p>9 BY MR. RASKIN:</p> <p>10 Q. Did you tell the investigating -- Special Agent</p> <p>11 Moran that you understood why the officer --</p> <p>12 officers would have approached the van after it</p> <p>13 finally came to a stop with their guns drawn?</p> <p>14 MR. SCOTT: Objection.</p> <p>15 You can answer.</p> <p>16 A. I -- I don't recall what I told Agent Moran.</p> <p>17 BY MR. RASKIN:</p> <p>18 Q. Okay. If I told you that that's what's reflected</p> <p>19 in the report --</p> <p>20 A. I -- I --</p> <p>21 Q. -- you wouldn't deny that?</p> <p>22 A. I wouldn't deny that. I mean, I understand that</p> <p>23 he ran, of course they're going to have a reason</p> <p>24 for wanting to know why he ran.</p> <p>25 Q. Do you recall telling Special Agent Moran that you</p>

Page 189	Page 191
<p>1 thought that Officer Miller should have used his</p> <p>2 taser instead of his gun?</p> <p>3 A. I don't recall, but I do believe that.</p> <p>4 Q. And what's the basis of that belief other than,</p> <p>5 presumably, Roy would still be alive?</p> <p>6 A. My basis is he is not the judge, jury, and</p> <p>7 executioner. He didn't have a decision to -- to</p> <p>8 kill the man because he ran. That's -- that's</p> <p>9 my -- my opinion.</p> <p>10 Q. You think --</p> <p>11 A. He should have gotten him out of the car and</p> <p>12 arrested him. And then the if's, why's, where's,</p> <p>13 when's, why he ran, this and that, only he could</p> <p>14 have answered, but he never gave him that option</p> <p>15 to answer because he killed him.</p> <p>16 Q. Is it your belief that Officer Miller shot Roy</p> <p>17 Evans because he fled from the police officers?</p> <p>18 A. Is that my opinion? Is that what you're asking?</p> <p>19 Q. I said is that your belief.</p> <p>20 A. That's my opinion, yes.</p> <p>21 Q. And you can't think of any other reason why Roy --</p> <p>22 why deadly force was used?</p> <p>23 A. I can't, no.</p> <p>24 Q. Would you agree with me that Roy's driving placed</p> <p>25 all of the officers who were pursuing him at risk</p>	<p>1 danger every police officer that was pursuing</p> <p>2 him --</p> <p>3 A. Uh-huh.</p> <p>4 Q. -- right?</p> <p>5 MR. SCOTT: Objection.</p> <p>6 You can answer.</p> <p>7 A. Yes.</p> <p>8 BY MR. RASKIN:</p> <p>9 Q. Would you agree with me that if it was not</p> <p>10 possible to utilize a taser then the use of deadly</p> <p>11 force was justified?</p> <p>12 MR. SCOTT: Objection.</p> <p>13 A. No.</p> <p>14 BY MR. RASKIN:</p> <p>15 Q. So you don't think --</p> <p>16 A. Not at all.</p> <p>17 Q. -- the use of deadly force was justified?</p> <p>18 A. There is no justification --</p> <p>19 Q. Wait a minute. Listen -- you got to let me get --</p> <p>20 get my question out.</p> <p>21 A. I'm sorry.</p> <p>22 Q. No, that's okay. You don't have to apologize.</p> <p>23 So it's your belief that the use of</p> <p>24 deadly force wasn't justified even if there was no</p> <p>25 other alternative including the use of a taser; is</p>
Page 190	Page 192
<p>1 of serious bodily harm --</p> <p>2 MR. SCOTT: Objection.</p> <p>3 BY MR. RASKIN:</p> <p>4 Q. -- including Roy and everybody else in your van?</p> <p>5 MR. SCOTT: Objection.</p> <p>6 You can answer.</p> <p>7 A. Yes.</p> <p>8 BY MR. RASKIN:</p> <p>9 Q. And that risk could have even included death,</p> <p>10 right?</p> <p>11 MR. SCOTT: Objection.</p> <p>12 You can answer.</p> <p>13 A. Yes.</p> <p>14 BY MR. RASKIN:</p> <p>15 Q. And that risk of serious bodily harm or death was</p> <p>16 as a result of Roy's refusal to stop and his</p> <p>17 driving?</p> <p>18 A. I believe that Roy should have stopped, I've never</p> <p>19 argued that. In my opinion, he should have</p> <p>20 stopped. In my opinion, yes, he put me and the</p> <p>21 children in danger, but that does not give them</p> <p>22 the right to shoot. And I've seen -- just my</p> <p>23 opinion, I'm sorry.</p> <p>24 Q. In fact, not only did Roy put you and the children</p> <p>25 in danger as passengers in the van, he also put in</p>	<p>1 that correct?</p> <p>2 MR. SCOTT: Objection.</p> <p>3 You can answer.</p> <p>4 A. He could have got him out of the car, there was no</p> <p>5 weapons. So my belief is that, no, there wasn't.</p> <p>6 At that point, they could have grabbed him, they</p> <p>7 could have arrested him, they could have tased</p> <p>8 him. He had no weapon. There was no knives,</p> <p>9 there was no guns, so no. Miller never gave the</p> <p>10 opportunity for him to give his self up.</p> <p>11 BY MR. RASKIN:</p> <p>12 Q. Do you know whether or not Officer Miller actually</p> <p>13 performed CPR on Roy?</p> <p>14 A. I believe in the BCI report it said that they did,</p> <p>15 but I --</p> <p>16 Q. You didn't see it?</p> <p>17 A. I -- no, I seen CPR be rendered to him, yes, I</p> <p>18 did.</p> <p>19 Q. No, no.</p> <p>20 A. But I --</p> <p>21 Q. Did you see Officer Miller --</p> <p>22 A. I can't tell you if I seen him because I -- I</p> <p>23 wasn't familiar with who they were on the scene.</p> <p>24 Q. Can you describe Officer Miller to me physically?</p> <p>25 A. I couldn't give you details, no.</p>

Page 193

1 **Q. Can you describe Sergeant Kelley to me physically?**
 2 A. No.
 3 **Q. So if either one of them walked into this room now**
 4 **and they weren't wearing Strongsville Police**
 5 **Department uniforms, you wouldn't necessarily be**
 6 **able to recognize either one?**
 7 A. I've seen -- I've seen pictures of Officer Miller,
 8 so I may be able to recognize him, but I don't
 9 believe I've ever seen a picture of Kelley.
 10 **Q. When D■■■■ was at the Strongsville Police**
 11 **Department, were you aware that he placed a call**
 12 **to his father?**
 13 A. Yes.
 14 **Q. Did you discuss that with D■■■■ at all?**
 15 A. No.
 16 **Q. Did -- did D■■■■ tell you what he said to his**
 17 **father or what his father to him?**
 18 A. No.
 19 **Q. Are you aware of whether or not D■■■■ asked his**
 20 **father to come get him?**
 21 A. I believe he probably did.
 22 **Q. And his father didn't?**
 23 A. My father was on the way. I mean, I knew D■■■■
 24 was really distraught. Me and him didn't have
 25 discussions of what he spoke with to his father.

Page 194

1 But his father was there when we were on our way
 2 home, his father was coming to my house, yes.
 3 **Q. So D■■■■s father came to your house and met you**
 4 **there?**
 5 A. He didn't meet us there. He -- actually, we got
 6 off at the Elyria exit, I believe, me and my
 7 father did, and D■■■■ had talked to his dad. He
 8 may have even talked to him in the car. I'm
 9 sorry, I -- I don't remember, but we seen him at
 10 the Shell gas station and --
 11 **Q. You can't --**
 12 A. No, I'm sorry. Yeah, he wanted -- his father
 13 picked him up at the gas -- at the Shell gas
 14 station and he left with his father and I went to
 15 Jodi and Roy's.
 16 **Q. You said to me that D■■■■ had to repeat the -- has**
 17 **to repeat the ■■■■■ --**
 18 A. Yes.
 19 **Q. -- is that right?**
 20 **Did -- did you get any explanation for**
 21 **why he had to repeat the ■■■■■?**
 22 A. Because D■■■■ didn't like to go to school, he --
 23 he would be absent a lot.
 24 His counselor's name is Terry, it just
 25 came to me when you -- when you asked that --

Page 195

1 **Q. Terry?**
 2 A. Terry, Terry. Because Terry came out that -- that
 3 morning and took D■■■■ to his school because the
 4 Gerson School has counselors and stuff on -- on
 5 hand, and they -- they were a big support system
 6 for D■■■■.
 7 **Q. And how about the other two kids? Have they**
 8 **continued to perform in school as they did prior**
 9 **to this incident?**
 10 A. Y■■■■ been an honor roll student since she
 11 started.
 12 **Q. And, of course, little R■■■ isn't --**
 13 A. R■■■, he doesn't go to school yet.
 14 **Q. He's just got to live up to his sister, huh?**
 15 A. He just has to.
 16 MR. RASKIN: I believe that I'm done.
 17 You have the right to -- well, here's
 18 what's going to happen, I'm concluding your
 19 deposition at this point. However,
 20 gentlemen, I am going to reserve the right to
 21 call Amanda back because we have not gotten
 22 any of her medical or psychologic --
 23 psychological records, nor have we gotten any
 24 medical or psychological records for the
 25 children. I'm not saying I'm doing that, but

Page 196

1 I'm going to -- but I may ask the court for
 2 permission to do that once we get the records
 3 which we need to get. And I can have an
 4 off-the-record discussion with you when we're
 5 done and talk about some more releases that
 6 I'd like to have signed.
 7 MR. SCOTT: Right, right, right.
 8 MR. RASKIN: But -- so at this point,
 9 we're going to adjourn your deposition. And
 10 the court reporter here is going -- you've
 11 seen her working on this little machine, and
 12 she's going to type up all of the questions I
 13 asked, answers you gave, objections that were
 14 made into typewritten form, and you'll have
 15 the right, if you chose, to read that
 16 transcript, not for the purposes of changing
 17 your answers but for the purposes of ensuring
 18 that all of the questions asked, answers
 19 given, objections made were properly
 20 recorded. You have to tell us what you want
 21 to do. Consult with your lawyers and then
 22 just say verbally, "Yes, I want to read" or,
 23 "No, I don't want to read," please.
 24 MR. SIDOTI: Todd, if I may. I know that
 25 you referenced a couple times that I -- "your

Page 197	Page 199
<p>1 lawyers," I -- just so you understand, I</p> <p>2 represent Mr. Fried in regards to the estate.</p> <p>3 Mr. Scott is counsel for Ms. Pauley and her</p> <p>4 children.</p> <p>5 THE VIDEOGRAPHER: We have one minute of</p> <p>6 tape. Do you want to change tapes?</p> <p>7 MR. RASKIN: Yeah.</p> <p>8 THE VIDEOGRAPHER: We're going to go off</p> <p>9 the record. This will be the end of Tape</p> <p>10 No. 4. The time is now 3:02:57. Off the</p> <p>11 record.</p> <p>12 (Discussion off the record.)</p> <p>13 THE VIDEOGRAPHER: We're back on the</p> <p>14 record. This is the beginning of Tape No. 5.</p> <p>15 The time is now 3:03:32. On the record.</p> <p>16 - - -</p> <p>17 BY MR. SIDOTI:</p> <p>18 Q. Ms. Pauley, my name is Marcus Sidoti. I represent</p> <p>19 Adam Fried as the Administrator for the Estate of</p> <p>20 Roy Evans. I just have a few follow-up questions.</p> <p>21 The same rules apply. I'll ask a</p> <p>22 question. If you have any questions to ask me,</p> <p>23 but I'll ask and you can respond.</p> <p>24 I'm going to work back in time if you</p> <p>25 give me a moment.</p>	<p>1 was, in fact, operating the vehicle within the</p> <p>2 speed limit in regards to the incident that</p> <p>3 occurred in March of 2017; is that correct?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. Two below that, paragraph 18 indicates that</p> <p>6 "A Strongsville police officer noticed the van's</p> <p>7 headlights were not on." From the date of the</p> <p>8 incident and up until this was filed by your</p> <p>9 lawyer, with his authority, did you come to learn</p> <p>10 or were you ever provided information that that</p> <p>11 was your understanding, that at some point the</p> <p>12 headlights were not on on the vehicle?</p> <p>13 A. Yes.</p> <p>14 Q. Again, on page 5, paragraph 22 indicates that the</p> <p>15 officers could see inside the van. Although not</p> <p>16 knowing what the officers could see at the time of</p> <p>17 the incident, from that date and up until the date</p> <p>18 of this filing, were you ever informed or did you</p> <p>19 have some information that led you to believe that</p> <p>20 the Strongsville officers involved, some or all,</p> <p>21 could actually see inside of the van during the</p> <p>22 pursuit?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. You indicated that you received some emails</p> <p>25 from the media and the like that included what's</p>
Page 198	Page 200
<p>1 If you still have Defense Exhibit B in</p> <p>2 front of you, which was the Amended Complaint.</p> <p>3 Did you --</p> <p>4 A. Yes, I have it.</p> <p>5 Q. Put that in front of you for just a moment.</p> <p>6 Just a couple clarifications.</p> <p>7 Mr. Raskin asked you questions going</p> <p>8 through that. We've already addressed the fact</p> <p>9 that the date of the occurrence was March of 2017,</p> <p>10 correct?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And you'll note from the top of Defense</p> <p>13 Exhibit B this is a document that indicates to be</p> <p>14 filed on January 18 of 2018. Do you see that</p> <p>15 there?</p> <p>16 A. Yes.</p> <p>17 Q. So Mr. Raskin asked you about five paragraphs,</p> <p>18 specifically one was paragraph 16 on page 4.</p> <p>19 Would you look at that for a moment?</p> <p>20 So you were asked -- and this statement</p> <p>21 indicates that "Evans," referring to Roy, "was</p> <p>22 operating the van within the speed limit." Do you</p> <p>23 see that paragraph?</p> <p>24 A. Yes.</p> <p>25 Q. You indicated in your response that sometimes he</p>	<p>1 been referred to as audio communications. I'll</p> <p>2 refer to them as dispatch, perhaps communications</p> <p>3 between officers and maybe the police station.</p> <p>4 Were you able -- from the time of the</p> <p>5 incident up until the time this document was</p> <p>6 filed, did you have time to hear audio that's</p> <p>7 consistent with dispatch or communications between</p> <p>8 officers?</p> <p>9 A. Yes.</p> <p>10 Q. At all times pertinent, there was no gun nor no</p> <p>11 weapons in the vehicle; is that correct?</p> <p>12 A. Correct.</p> <p>13 Q. Moving along to paragraph 29 on page 6 of Defense</p> <p>14 Exhibit B, you were asked to review that, that</p> <p>15 indicates, quoting only a portion, felony call out</p> <p>16 procedures rather than rushing the van.</p> <p>17 Between the date of the incident and</p> <p>18 prior to the filing of this, did you personally</p> <p>19 hear information through those communications</p> <p>20 that -- what I'm referring to as a dispatch --</p> <p>21 that officers were ordered to call the individuals</p> <p>22 out of the van and specifically not approach it?</p> <p>23 A. Yes.</p> <p>24 Q. You've heard those yourself?</p> <p>25 A. Yes.</p>

Page 201	Page 203
<p>1 Q. And lastly, in Defense Exhibit B, paragraph 34 --</p> <p>2 just to be clear, we're really not in dispute,</p> <p>3 based on your understanding, that there were two</p> <p>4 shots fired, correct?</p> <p>5 A. Correct.</p> <p>6 Q. But you addressed a pause, there was one -- and</p> <p>7 this refers to repeatedly -- there was one and</p> <p>8 then some time that you're not completely clear of</p> <p>9 and then a second shot was fired, correct?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. Just for clarification in regards to the</p> <p>12 phone calls that you made at the Strongsville</p> <p>13 Police Department, do you recall who specifically</p> <p>14 you spoke with when you asked to use a phone to</p> <p>15 make phone calls?</p> <p>16 A. I believe -- I can't be sure. There was -- I</p> <p>17 believe it was the officer -- the officer that</p> <p>18 drove me in, I asked if I could use the phone.</p> <p>19 Q. You weren't at liberty to use any phone you</p> <p>20 wanted, you asked to use a phone and that officer</p> <p>21 designated a particular phone for you to use; is</p> <p>22 that correct?</p> <p>23 A. Correct.</p> <p>24 Q. At no time pertinent of any of the calls that you</p> <p>25 made were you ever informed that those were</p>	<p>1 of the gearshift in the vehicle?</p> <p>2 A. Yes.</p> <p>3 Q. It's on the right-hand side of the steering wheel</p> <p>4 if I were sitting in the driver's seat of the</p> <p>5 vehicle?</p> <p>6 A. Correct.</p> <p>7 Q. Ma'am, to your recollection, at all times</p> <p>8 pertinent from the time that Officer Miller opened</p> <p>9 the door up until the first shot was discharged,</p> <p>10 is it your testimony that Roy's hands were, is it</p> <p>11 fair to say, above his heart?</p> <p>12 A. Yes.</p> <p>13 Q. And at that time, prior to, during, and after the</p> <p>14 first shot was fired, they were above his heart</p> <p>15 and either on the steering wheel or near the</p> <p>16 gearshift but definitely above where both hands</p> <p>17 would be --</p> <p>18 A. Yes, but I can't tell you exactly, but they were</p> <p>19 above.</p> <p>20 Q. And it was your testimony that Roy, in your</p> <p>21 estimation, went unconscious after the first shot</p> <p>22 was fired?</p> <p>23 A. Yes.</p> <p>24 MR. SIDOTI: I have nothing further.</p> <p>25 MR. RASKIN: I just have a couple of</p>
Page 202	Page 204
<p>1 recorded phone calls?</p> <p>2 A. No.</p> <p>3 Q. Lastly, there was a series of questions regarding</p> <p>4 the placement of Roy's hands in the vehicle and</p> <p>5 some questions regarding like a fist bump and some</p> <p>6 communication. Do you recall that line of</p> <p>7 questioning?</p> <p>8 A. Yes.</p> <p>9 Q. I believe your testimony was prior -- your</p> <p>10 testimony was prior to Officer Miller opening the</p> <p>11 door you and Roy exchanged some words along the</p> <p>12 lines of "We got this" and did a fist bump. Do</p> <p>13 you recall that?</p> <p>14 A. Yes.</p> <p>15 Q. There were some questions regarding where Roy's</p> <p>16 hands were located at the time that the door was</p> <p>17 opened. Do you recall those questions?</p> <p>18 A. Yes.</p> <p>19 Q. And I believe at the time the door was opened, you</p> <p>20 referred to the hands being -- plural -- being up</p> <p>21 and you weren't sure if they were actually on the</p> <p>22 steering wheel or on the gearshift. Do you recall</p> <p>23 that?</p> <p>24 A. Yes.</p> <p>25 Q. Do you recall, as you sit here today, the location</p>	<p>1 follow-up questions if -- if I could, please.</p> <p>2 ---</p> <p>3 RE-CROSS-EXAMINATION</p> <p>4 BY MR. RASKIN:</p> <p>5 Q. We have taken a series of breaks throughout the</p> <p>6 day, and I hope you had enough opportunity to</p> <p>7 catch a breather when you took those breaks.</p> <p>8 A. Yes. Thank you.</p> <p>9 Q. So -- you're welcome. So I know on the last break</p> <p>10 you were downstairs with your dad at Starbucks.</p> <p>11 During the other breaks, did you meet with both</p> <p>12 Mr. Scott and Mr. Sidoti?</p> <p>13 A. No, I met with Mr. Scott.</p> <p>14 Q. Okay. Mr. Sidoti didn't meet with you --</p> <p>15 A. No.</p> <p>16 Q. -- and discuss any of the questions --</p> <p>17 A. No.</p> <p>18 Q. -- or answers?</p> <p>19 A. No.</p> <p>20 MR. RASKIN: Thank you. I have no</p> <p>21 further questions.</p> <p>22 THE VIDEOGRAPHER: We're going to go off</p> <p>23 the record. This will be the end of this</p> <p>24 tape, the end of the deposition. The time is</p> <p>25 now 3:12:26. Off of the record.</p>

Page 205

Page 207

MR. SCOTT: We'll read it if it's
ordered. I guess you're not done yet
necessarily.

MR. RASKIN: Yeah, but I'll order this.

MR. SCOTT: Okay. So we'll read it.

(Signature was not waived by the Witness.)

(The deposition was adjourned at 3:12 p.m.)

WITNESS CERTIFICATE

I, AMANDA PAULEY, do hereby certify that I have
read my deposition taken on July 18, 2018, in the case
of Adam Fried, Administrator for the Estate of Roy
Evans, Jr., Deceased and Amanda Pauley v City of
Strongsville, Jason Miller, Sgt. Kelley, and James
Kobak, consisting of two hundred and seven pages, and
that said deposition is a true and correct
transcription of my testimony with changes as noted on
the errata sheet.

AMANDA PAULEY _____

Dated this _____ day of _____, 2018.

Sworn to and subscribed before me this _____
day of _____, 2018.

Notary Public _____

My commission expires _____.
SP

CERTIFICATE

STATE OF OHIO,)
) ss:
SUMMIT COUNTY.)

I, Susan M. Petro, a Stenographic Reporter and
Notary Public within and for the State of Ohio, do
hereby certify that the within-named Witness, AMANDA
PAULEY, was by me first duly sworn to testify the
truth, the whole truth and nothing but the truth in the
cause aforesaid; that the testimony so given by her was
by me reduced to Stenotypy in the presence of said
witness; afterwards prepared and produced by means of
Computer-Aided Transcription, and that the foregoing is
a true and correct transcription of the testimony so
given by her as aforesaid.

I do further certify that this deposition was
taken at the time and place in the foregoing caption
specified, and was adjourned.

I do further certify that I am not a relative,
employee of or attorney for any party or counsel, or
otherwise financially interested in this action.

I do further certify that I am not, nor is the
court reporting firm with which I am affiliated, under
a contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my seal of office at Akron, Ohio, this 30th
day of July, 2018.

Susan M. Petro, Notary Public
My commission expires May 7, 2022

Page 206

WORD INDEX

< \$ >

\$11 175:12

\$25,000 49:5 174:17

< 0 >

08 33:20

< 1 >

1 5:4 65:10

1:09:20 158:9

1:09:44 158:13

1:18-cv-00139 1:3

1:23:11 171:13

10 27:7 29:13, 17 32:22

37:4, 11 42:12 43:2 49:5

50:11 52:1 64:17 74:21

126:21 171:10

100 3:17 11:7 54:22

93:11, 19 126:20 179:25

107th 38:25

1099s 48:12, 25 49:23

10-year 48:4 50:2

11 163:9

110 93:11, 19

113 31:9

117th 38:25

12 27:25 120:10

12.5 9:6

156 4:14

16 24:11 35:22 42:11, 18

45:23 159:4 198:18

1606 44:10

17 53:22

173 4:15

18 2:9 5:2 160:18, 25

198:14 199:5 206:4

1900 2:8 3:6

197 4:4

1997 42:19

1999 17:8 52:19

< 2 >

2 32:6 45:5 88:7

2,000 176:13

2:00 81:17

2:31:17 171:17

20 88:22 140:18 160:12

2001 32:6

2004 53:21

2007 32:10 33:5, 20

42:14, 22, 25 47:2 48:4

58:14 59:1, 9 61:20

62:19 69:8

2008 33:5 69:8

2009 31:14 52:24

2010 31:14, 14 41:12 49:6

2011 32:6 53:22

2012 32:6

2013 16:15, 19 24:25

32:8 60:21 67:19 68:9
69:2

2014 27:15 58:13 59:2, 4

61:9 66:5, 7 70:7

2015 65:25

2016 64:3, 4, 12 65:10

70:5, 16 75:12

2017 9:22 15:6 17:11, 17,

23 18:7 21:9, 17, 22 22:1,

7, 12 27:4 34:1 42:16, 25

48:5 49:7 75:7 82:9

83:10 85:5 86:22 87:10

177:3, 8 182:20 183:8, 11,

20 185:10 198:9 199:3

2018 2:9 5:2 9:22 12:2,

17 13:22 42:14 198:14

206:4, 15, 20 207:18

2022 207:21

202 4:4

216.357.3350 3:7

216.650.3318 3:13

22 161:20 162:12 199:14

24 75:12

25,000 48:10

28 64:4 70:4, 5, 16 207:16

29 164:9 200:13

< 3 >

3 88:13 141:17

3:02:57 197:10

3:03:32 197:15

3:12 205:9

3:12:26 204:25

30 13:18 78:23

30th 207:18

31 53:21

34 84:8, 17 167:24 201:1

34305 3:18

35 175:13 176:4

350 175:25

360 175:25

37 84:15

370 43:23, 24 44:9

< 4 >

4 141:21 159:5 197:10

198:18

40 18:9

440.424.0023 3:19

440-320-5459 102:23

44113 3:6

44115 3:13

44139 3:18

490 3:12 43:20

< 5 >

5 4:4 163:9 197:14

199:14

5:30 75:15

50 2:7 3:6 176:17, 17

< 6 >

6 35:24 79:2 81:11 86:7

164:9 182:20 183:8

200:13

60 160:2

< 7 >

7 36:7 75:7, 9 78:24

80:17 82:9 83:10 85:5

86:22 87:10 158:18

166:10, 13 167:20, 22

177:8 183:11, 20 185:10

207:21

71 87:16, 21, 23 88:2

89:5 90:22 91:5, 6 93:6

7-18-81 31:5

7th 36:16 166:9

< 8 >

8 35:25 165:24, 25

8:30 77:20, 23

80 88:22 160:1

812 3:12 43:19

82 4:12 91:5

84 4:13

8th 36:9

< 9 >

9 36:1

9:00 77:21

9:20 2:9

9:20:59 5:3

9:30 77:23

904 146:12, 14

97 47:4

98 42:20, 20 47:4

99 42:20

9th 36:10

< A >

a.m 2:9 81:17

A1 175:18

A-1 4:13 84:21, 23 85:1,

3 86:12 106:13, 23

108:15 130:11, 17, 25

135:2 142:23

able 7:4 72:4 73:3

83:24 92:12 142:8, 18

163:3 169:19 177:2, 3, 9,

10 193:6, 8 200:4

absent 194:23

Absolutely 53:10 112:7

167:15 176:9 179:18, 20,

22

Academy 40:6

accelerator 110:17 111:9

accept 5:24 18:1

accepted 18:4

access 49:13 165:8

accompanied 52:4

account 173:25

accounts 174:9 180:23

accurate 86:19 143:10

169:5 182:23

accurately 109:3

acquainted 55:8 166:3

act 72:8, 17

acting 72:6

action 207:14

activated 89:14 102:12

activities 177:1, 6 178:20,

23

activity 60:8

ad 77:5

ADAM 1:3 3:1 5:19

157:5 197:19 206:5

add 144:17

addition 6:2

additional 30:6

address 43:19, 21, 22 55:1

178:18

addressed 198:8 201:6

adequate 171:6

adjourn 196:9

adjourned 205:9 207:12

Administrator 1:3 3:3

5:19 157:5 197:19 206:5

Admiral 46:14, 16

admitted 28:21

Adult 15:11, 13, 15 47:12

advertised 47:25

advised 152:21

advocate 184:6, 11, 17

affair 55:11

affiliated 184:2 207:15

affixed 207:18

aforesaid 207:7, 10

afternoon 86:7

Agent 4:15 135:15, 21

136:4, 7, 21 137:4, 12, 20

138:8, 18 140:21 141:4

173:15 188:10, 16, 25

agents 143:15

ages 18:25 53:18

aggravate 128:1

ago 13:9 14:12

agree 79:14, 18 85:1, 11

87:16 92:3, 8 100:14

109:2, 7, 8, 11 120:6, 12

136:15 182:25 189:24

191:9

agreed 6:12 76:1 160:2

ahead 25:20, 22 94:12

120:20

ain't 36:24

air 123:22
Akron 76:22 77:2 207:18
Alison 12:25 13:1, 19, 25 14:5, 10
alive 149:24 189:5
altered 165:13
alternative 15:13 191:25
AMANDA 1:8, 10 2:1 3:9 5:8 45:9 195:21 206:3, 6, 13 207:6
██████████ 9:6 14:15
Amended 4:14 157:2, 11, 16 198:2
amount 175:2
amusement 179:9
Amy 145:6, 21 146:9, 25
Amy's 145:23
angled 118:10
answer 7:16 20:22 21:3 22:11 23:21, 25 25:20, 22 27:21 33:1 34:10 35:2 41:2 50:16 63:4, 5 81:8 94:18 95:10 97:13 98:7, 18 99:11, 22 100:18 107:10, 24 108:10 117:14 121:11 122:5, 16 130:16 158:4 161:6, 16 162:4, 9, 15 163:25 168:6 172:4 184:25 185:13 186:13, 19 188:7, 15 189:15 190:6, 12 191:6 192:3
answered 189:14
answering 45:21 177:12
answers 8:24 34:11 172:1 196:13, 17, 18 204:18
██████████ 9:10
██████████ 11:17, 18, 21
██████████ 29:10
██████████ 12:19 14:3
anybody 22:17, 19 151:9 163:19 183:19 184:1
anybody's 162:9
anymore 71:19
apart 52:25 55:8 59:1 162:23 184:11
apologize 19:6 25:5 31:4 34:11 42:7 56:23 63:8 70:22 72:14 115:2 121:22 171:19 191:22
apparently 26:16
APPEARANCES 3:1
appeared 80:9
apply 197:21
appointment 14:14, 19
appointments 77:16
appreciate 127:7 137:24
approach 200:22

approached 188:12
approaching 89:4
approximately 9:22 13:18 15:18 78:23 88:22 160:14 175:12 176:13, 15
area 120:8
argued 190:19
arrearages 60:3
arrest 132:11
arrested 24:2 60:2, 5, 7 148:16 189:12 192:7
arrive 77:17
arrived 61:15 136:11 166:6
██████████ 25:15
██████████ 26:18, 21
asked 6:6 8:9 25:4 31:3 42:7 52:3 70:22 103:17 108:24 121:22 128:21, 22 135:1 137:20 138:9 140:21 144:8 154:3 159:24 172:4 181:2, 4 182:4 193:19 194:25 196:13, 18 198:7, 17, 20 200:14 201:14, 18, 20
asking 8:24 23:22 29:3 57:20 63:8 93:16 110:12, 14 114:2 117:4 121:15, 15 123:13 134:9 150:17, 18 163:14 178:2 189:18
asks 57:22
asleep 61:13
aspect 177:17
assault 57:14, 15 58:13, 15 59:1, 2, 5, 9 61:9, 20 62:5, 12, 15 63:1, 12 135:24 136:25
assaults 60:9 61:7
assessed 68:22
assessment 127:3
assets 180:17
assistant 15:22 16:4, 7, 12, 18 17:2 32:10 47:8 127:1 175:10
associated 26:21
assume 56:23 58:1 72:2 81:14 87:25 109:12 110:10, 10, 12 118:25 152:14 153:10
assumed 112:9
assuming 28:22 56:18 80:4 82:18 86:1 129:17 139:2 147:4
assumption 149:8
attachment 167:11, 16
attacked 61:17 62:21, 23
attempt 27:19, 23, 24
attend 38:8
attending 38:11 39:20

attention 87:12 88:4 89:9 94:25 148:14, 15
attorney 207:13
attributable 174:18
attribute 15:5
attributed 137:14
audio 164:1, 4, 7, 25 165:3, 4, 8, 12, 13, 15 166:16, 20 167:2, 8, 9, 16 200:1, 6
audios 167:4
author 173:15
authority 199:9
authorization 30:2
Avenue 43:8 146:12, 14, 15 178:19
average 48:8 49:3, 4 179:8, 11
Avon 10:19 15:16 38:15, 16, 19 43:12, 13 44:11 47:22 50:18 60:11, 16, 17, 18 79:7, 22 80:11 81:1 87:24 184:14
aware 36:16 46:3 56:24 57:12 58:3, 12, 21, 25 59:22 61:14 71:25 74:21 79:6, 9 87:18, 20, 20 89:2, 10, 17, 23 90:25 91:21, 24 93:1, 6 95:1, 2, 3, 6 97:20, 23 104:24, 25, 25 105:4, 8, 12 148:23 149:3, 23 172:8, 12 181:7 184:16, 19, 21, 22 185:1, 8, 15, 20 193:11, 19
< B >
baby 41:13, 14
back 17:22 31:24 35:6 39:10, 19 41:6 42:14 45:4 63:6 82:19 83:11, 20 88:12 91:6, 15 99:25 100:2, 6, 12, 16, 19, 25 106:1, 1 127:12 130:11 134:13 135:2 141:20 147:1 152:23, 25 153:3, 7 158:12 171:16 195:21 197:13, 24
background 46:3
backwards 107:5
bad 63:9 70:22 128:21 144:8
bam 116:22, 22 138:14, 15
bank 173:25 174:9 180:23
bar 89:15
Barn 31:9
based 59:17 76:5 86:14 92:19 201:3
basic 8:17
basically 32:1 85:24

basis 55:20, 21, 22 189:4, 6
Baumhardt 47:9
BCI 102:14 186:4 192:14
beach 178:24
becoming 76:2, 7 89:1
beeps 148:13
began 48:3 161:2
beginning 5:3 45:5 88:13 134:1 141:21 197:14
begun 177:24
Behalf 3:1, 9, 14 6:12 157:4 172:10
behavioral 12:22 15:4 29:15, 20 37:6, 10, 16 40:17, 25 69:9 71:18 74:20
belief 100:16 189:4, 16, 19 191:23 192:5
believe 13:3 34:3, 4, 4, 21 35:3, 6, 8 40:13 42:3 45:25 46:12 47:9 48:12 49:17, 18 52:11 53:3 68:10 69:16 74:12 78:20 79:3 85:10, 23 89:18 100:19, 24 105:23, 24 111:18 118:15 131:10 135:9 137:10, 25 141:9 143:9 149:22 160:21 180:22 182:9 186:21, 23 189:3 190:18 192:14 193:9, 21 194:6 195:16 199:19 201:16, 17 202:9, 19
believed 76:6
Bellefaire 20:4, 6, 7, 11, 16 21:8 22:6, 10 23:5
belonged 93:2
belt 118:23, 25
belted 110:1, 3, 5 123:18
benefits 18:11
bequeathed 180:18
best 12:1 22:3, 11 48:8 49:2 71:12 78:16 114:3 144:7
better 72:9, 13
beyond 17:1 60:8
big 119:17, 17, 18 147:16, 18 195:5
bills 176:7, 16
birth 31:4
birthday 53:21, 22
bit 22:21 78:3 86:13 121:3 171:22
blank 20:20 138:15
blanks 39:24
Block 50:5, 11, 22 51:4, 13, 22 52:3 62:3
blood 132:21

blue 83:2
 blur 156:2, 3
 bodily 190:1, 15
 body 65:13 121:8, 13, 18
 122:21 123:6 125:23
 126:8
 Bond 34:3, 22
 Boom 168:25 169:1, 1, 1, 4
 Boom, 169:4
 born 41:5 46:4, 7, 9
 bottom 159:5
 bought 176:20 180:2, 3, 3
 bowel 25:18
 boy 141:2
 boyfriend 154:12, 17, 17
 155:3, 5
 brain 55:17 57:25 65:6
 brake 110:17
 break 7:24, 25 8:9 36:22
 45:8 75:4 101:22 174:20
 204:9
 breakdown 175:20
 breaking 24:6
 breaks 204:5, 7, 11
 breather 204:7
 breathing 14:4
 briefly 167:25
 bring 56:1 74:14 186:5
 broader 57:18
 Broadway 67:12
 broke 24:5 61:14
 Brookside 17:8, 9
 brought 105:16 184:13
 185:3
 Brunswick 76:23, 24, 25
 77:12, 18 81:17 87:4, 15,
 23
 Budget 47:23
 Building 3:12
 bump 112:24 113:9, 19
 114:5 115:14, 14 135:11
 202:5, 12
 bumped 111:19 135:7
 138:12
 bunch 61:25
 Bureau 135:15 143:16
 172:20 185:21
 burgundy 82:1
 buried 129:5
 burnt 134:14
 Business 16:20 31:15, 15
 76:21 120:4
 < C >
 Cabaret 30:23
 call 24:19 45:9 102:18
 133:17 144:22 149:8
 151:4 154:11 167:8
 171:11, 20 193:11 195:21
 200:15, 21

called 2:2 31:9 48:12
 92:24 118:11 133:12, 15
 145:3 149:13, 18, 19
 157:11 164:24 165:6
 calls 104:12 145:2
 146:23 147:6, 9, 10
 148:23 149:9 164:4
 201:12, 15, 24 202:1
 camp 177:19
 Camping 177:19 178:21
 campus 28:10
 capacity 6:20
 caption 157:17 207:11
 car 60:13 61:1 62:1, 10,
 15 63:1, 12 74:2 81:19,
 23 94:4, 7, 12 95:7, 11, 14,
 15, 17, 18, 20 96:5, 13, 18
 97:1, 7, 21 99:25 105:15
 132:14, 16, 17, 24 133:6,
 20 136:9 140:6 150:2
 152:12 183:21 189:11
 192:4 194:8
 Carbone 10:15, 16 14:12
 22:18
 care 10:17 29:8, 16 37:3,
 3, 10, 10 40:12, 15, 17, 20
 42:3 174:24 181:14, 19
 caregiver 15:20, 21
 caregivers 16:6
 CareSource 14:25 25:13
 26:5
 carnivals 179:10
 carpet 31:8 47:6, 7, 8, 11,
 23, 25 48:14 75:17, 17
 76:1, 22 78:2, 13 117:16,
 22 118:14, 21 119:1, 20,
 21, 24 120:4, 8, 10 125:6
 129:24, 24 130:19 175:4
 carpeting 120:1, 5
 carry 34:3
 carrying 27:16, 18
 cars 93:25 94:15 98:15
 152:15
 CASE 1:3 6:16 62:18
 63:15, 25, 25 146:12, 14,
 15 157:14 172:10 206:4
 catch 204:7
 cause 95:22 115:2 207:7
 caused 23:18 28:21
 37:17 57:13 67:21
 105:13
 causes 8:22
 causing 111:9
 Caxton 3:12
 CB 165:7
 cell 102:1, 2, 3, 6, 11, 22
 149:7
 cells 65:6

Center 67:23, 25 68:1, 8,
 12, 15, 21, 25 69:17 74:19,
 25
 certain 35:12 115:9
 158:16 177:22
 certainly 127:5
 certificate 16:12, 18
 certification 16:2, 8, 19
 17:2
 certified 5:10 15:25 16:1
 certify 206:3 207:6, 11, 13,
 15
 change 197:6
 changed 52:14 75:21
 changes 206:10
 changing 196:16
 charge 60:18
 charged 32:13
 Charles 4:15 135:19
 chase 131:13 146:21
 149:14 150:1
 chasing 103:3, 12 104:6
 chest 138:15
 Chief 5:18
 child 56:8, 13, 17, 24
 59:24 60:3, 8, 11, 18
 179:23
 childbirth 27:7
 children 5:22, 23 18:21
 19:23, 23, 25 53:13, 15, 19
 55:9 60:22 84:10 85:5
 138:16 140:22 174:16
 176:19 180:12, 13, 13, 18
 190:21, 24 195:25 197:4
 choked 61:17
 choose 184:23
 chose 17:22 196:15
 Christian 40:6
 Christie's 30:23 31:1, 6,
 24 32:2
 chronic 25:16
 chronologically 39:7 65:5
 cigarette 113:23 114:12,
 13, 23 115:12 134:12, 14
 154:8 155:12, 17 156:14
 159:20 163:23 164:2
 cigarette, 164:5
 circumstances 6:1
 citation 80:20, 21
 cited 78:24 79:20 80:17
 81:11
 CITY 1:13 5:16 50:18,
 19 55:2 66:23 67:7
 206:6
 Civil 2:3 207:16
 claim 32:11 162:12
 clarification 201:11
 clarifications 198:6
 clear 26:8 50:24 57:3
 73:2 76:15 124:25 125:3,

4, 5 133:9 143:13 169:10
 185:7 201:2, 8
 clearly 52:25
 Cleveland 2:8 3:6, 13
 20:11 28:8 39:1, 2
 climbed 132:19 133:2, 4,
 6, 21
 clip 82:19
 close 67:2 172:5 188:3
 closer 65:24
 clothes 75:22 180:2, 3
 coat 134:14
 coffee 74:2 75:13
 College 16:20 40:13
 color 82:5 85:2 109:2
 131:3 142:22
 colored 131:2
 Columbus 54:19
 combination 105:19
 come 14:10 72:22 73:6,
 10 146:19 147:13 149:15
 151:9 193:20 199:9
 comes 26:2, 3 70:13, 13
 112:14 115:20
 comfortable 85:12
 coming 95:17, 25 96:4
 100:11, 13, 15 105:25
 194:2
 commission 206:23 207:21
 commitment 30:10 74:19
 committed 28:25 37:17
 58:22 68:18, 19, 22 75:1
 common 144:5
 communicate 180:11
 communicating 134:20
 communication 202:6
 communications 166:20
 167:8, 9 200:1, 2, 7, 19
 community 17:9 66:20,
 22 67:6
 community-acquired 25:16
 Complaint 4:14 34:1
 157:3, 11, 16 198:2
 complete 8:16 20:20
 39:13, 17, 19 50:12
 139:21 174:21
 completed 39:16 40:1
 46:19 78:17
 completely 89:22 201:8
 comprehend 132:6
 comprehensive 128:22
 Computer-Aided 207:9
 concentrate 72:5
 concentration 14:16
 concerned 68:5
 concerning 42:9 182:6
 185:24
 conclude 111:4 164:16
 concluded 144:10

concluding 134:2 195:18
conclusion 93:13
Concord 43:23, 25 44:1, 9
condition 15:4 41:20
 66:21 67:15, 20 71:23
 86:20
conditions 25:9, 11 26:10
 27:2 64:15 91:25
condolences 5:25
conduct 92:14 185:9
conference 45:3 46:11
 88:11 90:16 171:20
confident 122:12
confirm 85:13
confirmed 148:19 149:24
confused 19:12
C 19:1
connected 23:7
connection 109:9
consciousness 181:22
 182:1, 3
considered 48:20
consisted 171:5
consistent 200:7
Consistently 90:10, 12, 13
 177:20
consisting 206:8
console 118:11
constraints 8:20
consult 8:7, 10 196:21
consulting 14:10
contact 53:11 95:18, 25
 96:4, 19, 20, 25 97:3
 109:7, 15, 19 159:23
 160:7 173:14
contacted 20:7 53:4
contained 85:14 173:16
Containing 4:13
continue 23:10 31:22, 23
continued 14:15 22:5
 70:11 187:25 195:8
contract 207:16
contractor 47:15
contractors 48:21
contradict 93:13
contradicts 117:10
contribute 175:22 176:8,
 13
control 72:1 106:7
conversation 7:17 34:10
 102:24 141:9 146:16
 149:22 151:12 154:6
conversations 8:16 63:17
 149:21 151:13, 15
conversion 81:24 82:1, 8,
 17 83:9
convicted 32:13, 21 33:2,
 7, 18, 19 57:8, 23 59:1
conviction 33:6 58:12
 80:25

convictions 33:9 58:4, 6,
 19, 21 60:1
cop 79:5 95:11 96:18
 134:17 138:14 152:16
Copies 4:12, 13 49:13
 82:5, 17 84:8 86:11
 108:15 109:3 130:12
 131:3 142:22
cops 89:22 132:9 170:3
copy 129:20 157:2, 4
 25:15
correct 6:4, 9, 18 12:19,
 20 15:2 16:9, 13 21:10
 24:9 27:5 33:21, 22
 39:23 41:3 43:1 49:7
 52:5 55:13 57:5, 6 58:4
 64:16 66:1, 2 68:24 69:1
 70:14 73:3 75:2 76:16
 78:22 80:14 86:24 87:14,
 19 90:20 91:24 92:19
 93:4 94:22 100:13 104:1
 109:16, 17, 24 110:2, 21
 113:1 115:16, 20, 21
 123:19 124:3, 16 126:4
 130:23 140:12, 12 142:16,
 21 143:11, 12, 18, 19, 20,
 23 144:18, 19 152:10
 156:17 160:3, 24 162:13,
 20 163:1 165:11 167:21
 181:12 182:20 183:9, 10
 185:16, 17 187:6 188:1, 2
 192:1 198:10 199:3
 200:11, 12 201:4, 5, 9, 22,
 23 203:6 206:9 207:9
Correctional 59:7
correctly 11:10
Cortez 178:9, 10
C-o-r-t-e-z 178:10
cost 14:22
Counsel 6:11 7:4 8:13
 23:6 30:1 82:11 108:19
 197:3 207:13
counseling 22:9, 13 24:16
 29:19
counselor 23:11, 14, 15
 38:18
counselors 195:4
counselor's 194:24
count 82:12 84:10
counted 84:8
County 54:23, 24, 25
 56:12 58:17, 19, 22, 23
 207:4
couple 7:8 25:1 41:18
 42:10 51:6 68:10 77:11,
 12 99:12 119:3, 11
 196:25 198:6 203:25
course 16:23 40:9 44:22
 56:5 113:19 116:1
 118:14 136:13 175:5

177:14 181:3 188:23
 195:12
COURT 1:1 5:6 6:2
 7:13, 20 23:8, 13 24:7, 8
 33:7, 8, 20 43:10 56:11,
 15 58:17 60:17 79:7, 7,
 24 80:5, 11 81:14 196:1,
 10 207:15
courts 23:6, 11, 19
coverage 18:15
covered 172:7
covers 14:23
CPR 192:13, 17
crack 131:19
cracks 131:15
Crap 89:21
crime 32:14 33:13, 19
 57:16, 17, 23
crimes 32:20 33:18 57:8
 58:21, 25
criminal 58:4, 11 60:8
 135:15 143:16 172:20
 185:21
 65:2, 3 66:9, 11
 69:6
Cross-Examination 2:3
 5:11
cruiser 89:18 112:15, 16
 142:5, 12, 24 159:24
crying 150:16
Crystal 54:9, 12 55:11
 57:4
current 56:13
currently 22:8, 17, 20
cut 103:14
Cypress 44:10

< D >
d, 128:2
D.C 1:10 3:10
dad 6:4, 6 45:12 108:21
 129:5 132:9 146:23
 148:11 149:13, 17 194:7
 204:10
daddy 132:21
dad's 134:13 145:7
daily 55:19, 21, 22
damage 182:18 183:6
dance 175:6
danced 175:6
dancer 30:16, 22
danger 92:14 190:21, 25
 191:1
dangerous 92:5, 10
dash 118:11
date 5:2 11:25 31:4
 33:6, 25 34:23 35:16
 79:11, 17 81:14 167:20
 198:9 199:7, 17, 17 200:17

dated 42:20 206:15
dates 36:5
D 53:20, 20, 20, 23
 54:1 55:14, 15, 16, 19, 23,
 24, 25 56:9 78:4 179:15,
 16, 16, 24
dating 177:24 178:2, 12
daughter 60:13
Dave 141:13
David 3:19, 19 82:19
day 8:18 12:10 17:19, 20
 18:1 35:19 77:15 80:16
 86:3, 4, 5 129:5 175:17
 204:6 206:15, 20 207:18
days 65:15, 22 68:6, 7
 78:23
daytime 77:15
day-to-day 179:5
dead 102:8, 9 149:24
deadly 189:22 191:10, 17,
 24
deal 177:23
death 49:12, 14 50:14
 64:17 65:9, 25 71:13
 74:22 79:15, 19 175:9
 190:9, 15
Deceased 1:6 3:3 206:6
decedent 19:16, 20
December 53:21 67:18,
 18 68:9 69:2
decide 22:15 174:2
decision 11:20 189:7
decrease 11:3
defective 139:9
Defendants 1:21 2:2
 3:14 4:11 6:12 82:13
 84:23 156:20 173:2
Defendant's 173:6
defense 5:18 198:1, 12
 200:13 201:1
defined 207:16
definite 77:22
definitely 162:25 203:16
definition 57:24
degrees 30:19
delay 171:19
delivered 27:17
deny 137:8, 9 153:12, 13
 155:9, 14 188:21, 22
Department 88:19 91:3
 92:24 93:10, 18 96:11
 97:6, 25 98:13, 25 99:5
 107:8, 21 108:5 109:16
 160:8 182:18 183:19, 22
 193:5, 11 201:13
departments 148:21
depend 48:10
depends 169:22
depict 183:1

DEPOSITION 1:9 2:1
10:7 195:19 196:9
204:24 205:9 206:4, 9
207:11
[REDACTED] 11:21
[REDACTED] 21:12 27:10
[REDACTED] 9:11 12:18
27:12 38:1
[REDACTED] 20:8 21:16, 16
22:24
describe 72:16 132:2
134:21 192:24 193:1
described 24:15 29:15
37:2 40:15 62:8, 9 74:17
91:22 112:19 114:6
115:14 124:23 128:16
140:1 144:7 149:11
describing 139:6 156:9
187:3
description 134:5
designated 201:21
desk 148:1, 10
desks 147:4, 5
destination 87:3
destroyed 70:19 102:14
detail 135:1
details 192:25
Detroit 38:25
D[REDACTED] 19:1 20:3, 6, 8
21:7 22:5 24:10, 11, 16
25:4 37:9, 9, 19 38:12, 21
39:6, 9, 10 44:8, 16 75:24
78:4, 6, 7 129:14, 14, 15,
17 131:4, 7 132:18
133:25 134:3, 21 141:1
162:7 163:8 193:10, 14,
16, 19, 23 194:7, 16, 22
195:3, 6
D[REDACTED] 24:12 102:5, 6, 11
104:10 194:3
devoted 179:24
Dewey's 47:10
[REDACTED] 25:17
diagnosed 14:5 25:10
26:17
diagnosis 13:25 21:13
25:15 139:11, 21
die 104:10
died 104:8, 15, 17 122:22
different 22:21 88:24
108:8 133:23
differently 96:16
difficult 186:4
difficulty 8:23 23:17
digress 78:21
Dill 165:17, 19, 20 166:1,
12
direct 22:11
directed 148:2

direction 87:17 91:16
107:4
disbelieve 186:16
discharge 23:9
discharged 22:14, 16, 23
23:2, 2, 3 203:9
discontinued 22:13
discuss 193:14 204:16
discussed 7:5
Discussion 83:19 158:11
174:11 196:4 197:12
discussions 193:25
disease 25:15, 17, 18 65:3,
3 66:9, 11 69:6
dishonest 58:2
dishonesty 32:14, 20
33:13, 18, 19 57:9, 10, 16,
24
disorder 21:16 22:24
139:10, 12, 22
dispatch 200:2, 7, 20
dispose 86:1
dispute 97:9 98:4, 16
99:9 152:13 153:20, 21
154:1, 2, 15, 21 155:3, 8
187:2, 4 201:2
distraught 193:24
DISTRICT 1:1, 2
DIVISION 1:3
divorce 52:23, 24 53:6
divorced 52:21
doctor 10:16 11:17
14:20 17:19 69:21 71:7
document 8:1 198:13
200:5
doing 47:5 103:18 126:8,
10 142:2 195:25
domestic 24:4
done, 158:19
Door 40:6 61:16 109:20
111:6, 10 112:17, 17, 22,
24 113:13 114:22 115:20
116:25 117:1 121:8, 12
122:1 123:22, 25 124:4,
11 125:1 127:10 128:17
129:10 131:15, 16, 24
134:1, 16, 23 136:11
138:14 142:16, 20 154:11
169:24 184:15 202:11, 16,
19 203:9
doors 131:21 147:13
148:8
dosage 11:3, 6 69:25
doubt 140:19
downstairs 204:10
downtown 28:10 30:25
Dr 10:15, 16 14:12 22:18
30:9 41:23, 24 42:1
drank 75:13

draw 39:24
drawer 174:8
drawing 20:19
drawn 188:13
dresser 174:8
drinking 74:2
drive 153:3
driver's 33:23 34:2, 16
94:5 95:12 98:3 99:20,
24 100:4 109:20 111:6,
10 112:17, 24 113:13
121:8 122:1 131:10, 11,
24 133:4, 7 134:1, 22
142:16, 20 153:17 170:1,
16 203:4
driving 33:10, 11 78:24
79:4, 20 80:13, 17, 21, 25
81:12 83:9 87:16, 22
88:20 89:4 92:4, 8, 21
93:7, 10, 19 95:23 98:14
99:2, 3, 7 109:5 111:13
135:25 137:1 143:3
153:7 160:1, 12 189:24
190:17
drop 180:7
dropped 61:11
drove 62:2, 4 74:2 87:9
90:22 96:12 97:20
152:14 186:9 201:18
due 34:4 41:20 65:2
duly 5:9 207:6
DUS 60:5, 9
DUSs 60:6

< E >
earlier 63:25 92:19
155:20 159:24 160:21
168:17
early 75:8 92:1
earn 48:6
earned 47:13 49:5
174:17 175:22
earning 175:12, 25
earnings 173:24
easier 56:5
East 43:20
EASTERN 1:3
easy 8:17, 18 159:8
education 17:1 46:23
educational 38:4
effect 90:18 113:6
effects 12:11, 12, 14
effort 94:16
eight 19:2 128:25
Eighteen 45:25
either 40:16, 17 41:4
55:14 57:3 61:6 74:25
91:14 97:4 98:5, 16
113:20 134:21 143:15
150:14, 20 152:8 162:16

169:16 171:1 182:7
185:16 193:3, 6 203:15
Eleanor 37:20 38:21
Elyria 20:14, 16 21:8
24:8, 25 40:8 43:9, 11, 12,
15, 16 44:2 47:24 54:6
55:3, 4 65:19, 20 66:16
146:10 178:17, 19 194:6
email 167:1, 10, 11, 12, 14
emailed 166:22, 24, 25
emails 199:24
emergency 68:4
emotionally 127:5 177:10,
14
employed 15:8 17:11, 17,
18 47:10 175:18
employee 48:19 207:13
employees 48:20
employment 31:6, 20 32:5
enable 93:1 123:3
endangerment 60:11, 18
ended 31:20 75:12
engaged 159:13 178:20
engine 110:22 111:5, 9
enjoyed 179:9
ensuring 196:17
entails 7:6
entered 46:10 56:11
90:15
entering 91:19
entertainer 30:14
entire 25:7 90:6, 13
101:5, 21, 25 109:25 186:3
entirely 11:12
Erie 54:6
errata 206:11
especially 175:5
Esq 3:3, 11, 14
essentially 179:16
Estate 1:6 3:3 5:20
197:2, 19 206:5
estimate 48:8, 11 49:2
78:16
estimation 203:21
evaluated 40:24
Evans 1:6 3:3 5:20 19:1,
2, 9, 10, 11, 17 42:9 52:14
53:7, 22 54:7 93:3
102:19, 20, 24 103:24
104:13 109:4 133:20
143:16 153:4 161:25
163:23 189:17 197:20
206:6
Evans, 198:21
Eve 61:11
evening 9:6
event 27:1 74:13 80:24
events 15:5 27:3 62:14
63:18 64:23 75:7 125:1

127:14 133:25 176:24
185:10, 24
everybody 190:4
Everyday 178:23
everything, 179:3
exact 11:25 28:6 33:5
103:15
exactly 10:22 67:22
131:16 164:25 203:18
EXAMINATION 4:3
example 158:20
exchange 112:18, 20
114:6 115:13 138:18
exchanged 202:11
Excuse 25:21 44:14 158:3
executioner 189:7
exhibit 8:2 82:11, 13
83:1, 12 84:23 85:1, 3
86:12 106:13, 23 119:2, 8
120:13 130:7 142:23
156:20, 24 173:2, 6, 10
182:11, 14 198:1, 13
200:14 201:1
EXHIBITS 4:8, 11
exit 90:22, 24 194:6
exited 45:2 88:10 90:22
91:4
exiting 91:10, 19
expected 78:14 171:21
expecting 124:18
expense 15:1
expenses 173:21 176:21
experience 73:12, 14
experienced 40:18 186:10
experiencing 11:15
expert 172:9
expertise 13:2
experts 172:13
expired 34:22 35:11, 17,
19
expires 206:23 207:21
explain 123:17 168:24
explaining 151:16
explanation 194:20
express 155:7
expressing 136:17
expression 139:2
extended 120:8
extent 182:6

< F >

facility 16:5
fact 51:15, 16 55:8 57:8
94:4 104:15 121:7 149:7
155:23 156:1 168:22
187:2 190:24 198:8
199:1
facts 61:6 88:23 93:12,
20 96:14, 17 97:9, 14
98:4, 15 99:9 100:20

108:7, 11 111:4, 8 163:16
182:5, 22 183:5
failed 39:18
faint 148:13
Fair 7:22 63:8 93:23
95:5 104:20 105:21
109:18 124:21 137:18
140:13 141:11 159:1
160:17, 17 161:19 163:20
169:9 203:11
fairly 122:12
fall 125:6
familiar 37:23 66:22
192:23
family 14:20 54:20
179:17 180:9
far 13:5 26:10, 11 52:17
120:7 131:11 144:18
fast 23:10 24:23 65:6
114:1
faster 95:3
father 19:3, 3, 8, 18, 20
145:4, 6 146:17 154:16
176:20, 21, 22 177:21
178:25 193:12, 17, 17, 20,
22, 23, 25 194:1, 2, 3, 7, 12,
14
fault 56:22
February 71:16 72:24
federal 50:4
feel 39:22 107:7, 20
109:12 177:9
feelings 187:5
feet 110:9, 14, 16, 19
fell 61:12 125:8, 23
126:13, 14, 15 169:3
Felonious 57:14, 15 58:13,
15 59:1, 2, 4, 9 60:9 61:7,
9, 20 62:5
felony 200:15
felt 63:6 73:18 100:8, 9,
10, 11 109:13 127:6 151:8
female 154:6, 10
field 13:1
fifteen 140:16
Fifty 11:9
fight 24:1 61:14
fighting 57:17 62:23
figured 10:13
file 49:9, 24, 24 50:23
51:19, 21, 23 52:3 167:11
filed 5:19 49:17, 19 50:4,
5, 21 51:9, 12, 15, 16 52:1
53:5 157:4, 13, 14 198:14
199:8 200:6
filing 50:17 199:18
200:18
fill 32:2
filled 16:10 28:23 70:21

71:4
finally 147:7 188:13
financial 34:22 174:15
181:6
financially 207:14
find 83:24 86:13 119:10,
12 130:1
fine 32:4 45:16 73:4
80:3, 4 106:18 120:1, 20
130:4 148:9 170:23
182:16
finish 10:11 70:16 140:15
finished 70:18 71:3
fired 116:8 117:2 125:2
127:10, 11 128:18 129:11
131:5, 9 134:23 140:7
167:24 169:17, 21 201:4,
9 203:14, 22
firm 207:15
first 5:9, 16, 24 7:11
10:10 13:8, 20 14:18
16:16 57:19 76:12 85:11
87:18 89:1, 13 96:19, 23
112:19, 20 113:14, 19
117:2 122:19, 22 123:1
124:2, 17 125:15, 16
126:8, 18 127:25 132:4
134:3 135:11 142:14, 25
146:20 149:22 150:8
160:7 165:15 168:7, 19
169:6, 14 173:24 178:6
181:21 182:2, 3 203:9, 14,
21 207:6
fish 115:14 177:19
fishing 178:21
fist 111:19 112:24 113:9
114:5 115:14 135:7
138:12, 13 202:5, 12
Five 15:11, 13, 15, 18
16:10 17:11, 17, 22, 24
18:1, 6 30:12 31:7 32:7,
8 44:13 50:8 65:15, 22
68:7 74:2 175:9 198:17
flat 104:23, 25 105:5, 8,
18 106:19
fled 189:17
fleeing 140:18
flipped 105:16
Flooring 47:21, 22
Floors 60:12
Flowers 12:25 13:1, 19,
25 14:5, 11 30:9
flushed 70:20
focus 122:24
follow 65:4
followed 29:9 68:20
following 17:16 49:12
75:20 87:19 110:8
183:20
follows 5:10

follow-up 29:8 197:20
204:1
food 174:4
foot 17:19 110:19, 19
111:9 120:10 163:9
force 189:22 191:11, 17,
24
foregoing 207:9, 11
forget 44:22 170:17
Forgive 19:6 37:23
39:24 56:22 99:3 115:8
138:7 165:22 171:21
form 196:14
formal 17:1 46:23
formally 52:24
former 5:18
forms 51:1
forward 35:14 107:4, 6, 20
four 50:8 94:24 98:13
99:1, 6, 14 105:9 187:7,
15, 18, 24
Fox 165:24, 25
Franklin's 3:17
fraud 33:2, 21
free 39:22 80:8
Freeze 132:10
frequency 13:10 21:24
FRIED 1:3 3:1 5:19
157:5 197:2, 19 206:5
Friend 1:9 3:9 5:21
61:12, 13, 16 145:6, 21
157:6
friends 55:10 56:6 166:4
180:8
front 74:1 95:1 109:22
113:24 120:8, 19 121:5
129:7 131:24, 25 132:19
133:21 138:16 147:13
186:20 198:2, 5
full 116:9, 21
fully 175:8
fun 36:24
Furniture 47:11
further 203:24 204:21
207:11, 13, 15
future 81:15

< G >

games 179:6
gas 194:10, 13, 13
gauge 93:14, 17
GAUGHAN 1:7
gearshift 113:21, 25
202:22 203:1, 16
GED 46:25
gentleman 135:18
gentlemen 195:20
Gerson 37:20, 20 38:22
195:4
G-e-r-s-o-n 37:21

getting 29:24 61:15 64:1
104:10 135:25 137:1
girl 35:8
girlfriend 24:1
girlfriend's 24:6
give 7:12 8:1 11:25
22:11 55:1, 2 77:21
79:11 90:7 96:17 103:7
134:4 175:2 190:21
192:10, 25 197:25
given 13:25 14:1 29:8
149:6 181:8 196:19
207:7, 10
gives 10:24
giving 8:24
glanced 186:5
glass 147:3, 16
glasses 182:15
go 8:11, 18 13:12 17:6,
22 25:20, 22 31:24 35:14
37:19 40:5 44:23 46:1
50:23 51:19, 21 57:13
59:23 61:13, 16 65:14
68:3, 8 75:19 78:8, 9
80:6, 7 81:6 83:13 87:5,
6 93:14 120:20 126:22
127:18 132:11 135:1
136:1, 16, 18 137:2
141:15 147:23 148:7
158:8 171:9, 12 175:7
176:18 177:21 178:24
194:22 195:13 197:8
204:22
God 118:17
goes 118:12 153:14
going 22:1, 15 23:1
33:15 39:14, 15, 15 40:3,
14 42:8 44:19, 23 51:12
61:4 62:22, 23 69:16
75:5, 6 78:6, 10 82:5, 6, 7,
10 88:6 91:16 94:15
95:3 101:18 103:19
106:6 111:21, 22 113:3
130:10, 10 131:1 132:11
135:22, 22 136:1, 16, 17,
18, 23, 24 137:2 138:2, 11
141:15 147:23 148:14
158:8, 15, 17, 21, 24
171:12 175:15 178:23
179:9 180:7 186:4
188:23 195:18, 20 196:1,
9, 10, 12 197:8, 24 198:7
204:22
good 5:13, 14 14:17 20:9
99:16 181:17
goodness 20:19
google 10:24
gotten 58:15 60:6, 11
64:2 187:18 189:11
195:21, 23

grabbed 111:15 135:12,
13 140:7 143:17 192:6
grace 35:9
grade 39:6, 9, 14, 14, 15,
16, 18, 20, 20 40:1, 3
46:18 194:17, 21
graduate 17:4, 7 46:16,
17, 21, 22
grand 184:20, 22
grandpa 24:21
grandparents 25:2
granted 144:24
great 178:25
gross 175:25
group 42:1
guardrail 188:4
guess 10:10 21:6, 6 22:3,
12 29:3 37:25 42:12
50:20 55:4 60:13 75:21
76:4 105:20 108:11
118:20 149:4 150:12, 17
156:4 174:14 205:2
guessed 145:20
gun 116:8 134:17 189:2
200:10
guns 138:16 188:13 192:9
guy 120:3
guys 61:25 62:4 161:9
168:24
GYN 29:10

< H >
hand 5:5 111:15 113:10,
22 114:13, 20, 20, 24
115:17 117:20 135:5, 8,
12, 13 140:8 143:17
154:8 155:2, 12 156:14
161:11 195:5 207:16
hand-holding 154:4
handle 31:19
hands 113:14, 18, 20, 24
114:7, 8, 17 115:11 116:6,
6, 8, 10, 14, 14, 20 122:12,
13, 13 123:22, 23 125:21
126:7 143:7 202:4, 16, 20
203:10, 16
Hands, 122:11
handset 148:4
hanging 114:12 115:13
Hanna 28:9
happen 195:18
happened 17:21 60:16
61:7, 24 62:19 63:18
75:8 91:4 92:11 96:15
98:1 100:1 114:1 115:11
124:22 127:15 132:6
136:19 137:21, 23 138:9
143:22 144:6, 9 151:14,
16 166:5 183:13, 16
happy 18:5 130:18

hard 73:6 115:1 163:9
177:12, 23
harm 190:1, 15
head 7:14, 14 115:4
heading 91:7, 7
headlights 90:23 91:23
160:23 161:2, 8 199:7, 12
health 12:21, 22 15:4
29:16, 20 37:6, 7, 10, 16
40:17, 20, 24, 25 67:3, 5,
15, 20 68:23 69:9 71:18
74:20, 20, 25 75:1 181:17
hear 10:6 57:22 103:22,
23, 24 104:2 116:16, 18
148:13 164:15, 20, 21
165:3 200:6, 19
heard 7:7 53:8 54:17
73:23 110:24 116:13, 15,
21, 24 122:11 164:4, 24,
25 165:4, 5 168:23 200:24
hearing 101:12 105:2
110:22 116:20
hears 156:9
heart 203:11, 14
heaven 132:11
heck 124:18 128:1
he'd 73:6
Heights 20:11
held 39:10, 18
he'll 39:20 40:14 45:14
help 9:7 14:3 20:24
22:19 50:7 75:25 76:1
79:15 118:3 130:18, 18
152:20 158:4 179:2
helped 31:9 32:9 78:3, 5
hereinafter 5:9
hereunto 207:16
Hey 158:2
high 17:4, 6, 8 38:16
46:18, 24 92:4, 9 93:14
higher 49:3
highest 46:18
highway 91:10, 16 92:4, 9
93:5 116:12
hired 47:17, 19, 20 172:9
history 32:5
hit 98:2 100:2, 6 105:15,
25 106:2, 4, 5, 6, 8 111:14
150:2 186:21
hitting 95:17
hold 135:8
holding 113:9 129:14, 15
135:4 154:8 155:2, 12
156:14
holds 171:21
holidays 180:9
Home 15:11, 13, 14, 15
43:22 44:17 68:7 69:11,
19 72:22 73:7, 10 74:14

75:14, 21, 22, 25 87:5, 6
175:16, 17 194:2
honestly 155:25
honor 195:10
hope 204:6
Hopefully 8:18
hoping 119:13 171:23
hospital 27:12 28:8, 22
29:1, 2 30:4, 10 37:3
65:14 66:20, 22 69:5
hospitalization 29:12
64:24 65:8 66:4 68:13
hospitalizations 40:16
65:2, 24 69:4
hospitalized 27:6 28:7
37:13 41:5, 8, 18 64:19
65:12, 18 66:13, 20 67:21
68:16
hospitals 67:8
hour 88:22 93:11, 20
160:1, 2 175:12 176:2
hours 18:9 27:25 75:9,
12 77:15 78:14, 15
175:13 176:4 179:11
house 43:9 56:2 61:12,
14 166:7 178:18 180:5,
12 184:13 185:4 194:2, 3
household 175:23 176:10,
14
huh 182:15 195:14
Huh-uh 133:1
hundred 30:19 206:8
hung 104:9, 16
Huron 3:12 43:19
hyper 72:4

< I >
I-71 87:17
ICU 27:23
idea 14:17 53:8 62:22
102:12 112:5
identification 82:14 83:1
84:24 85:1 156:21, 23
172:20 173:3
identifications 173:6
identified 152:11
identify 82:7 83:5
170:10, 13 173:10
identity 53:23 54:1, 7
IEP 38:3, 11, 19
if's 189:12
III 133:10, 11
image 85:3
immediately 68:20 105:25
107:12 114:21 116:9
143:2, 17
impact 95:24, 25 96:15
97:17 109:12, 13 114:4
183:7
impacted 110:7

impacts 98:13, 19 99:1, 6, 18, 23, 25 100:7 112:14 113:17
impression 35:15
inaccurate 86:13, 15 173:17
incarcerated 59:15 70:10, 12 72:20
incarceration 59:20
incarcerations 59:22
incident 17:16, 23 20:7 21:9 22:6 33:25 36:6 182:19 183:20 195:9 199:2, 8, 17 200:5, 17
incidents 149:6
included 190:9 199:25
including 190:4 191:25
income 49:24 175:4
incorrect 35:5 162:16 173:17
increase 11:2
increased 11:5
independent 47:15 48:21
indicate 93:18
indicated 117:9 198:25 199:24
indicates 152:20 198:13, 21 199:5, 14 200:15
indict 184:23
indicted 185:9
indictment 184:13 185:3
individual 38:4 49:10, 11
Individually 1:9 3:9 5:21 157:6
individuals 200:21
infection 65:13
inflammation 26:21
inform 30:9
information 8:17 172:14 173:16 182:6 199:10, 19 200:19
informed 199:18 201:25
initial 110:8 157:14
initially 47:4 88:21 159:23
initials 157:7
injuries 60:24
inpatient 28:14, 18
insensitive 45:17
inside 60:12 115:4 118:12 120:18 161:25 163:18 199:15, 21
install 76:22
installation 47:18
installer 47:7
Installers 48:1
installing 120:4
instance 142:25 148:11 174:2

instances 58:16
instantaneous 168:18
instantaneously 125:20
instated 35:9
instructions 29:8
insurance 14:23
insured 14:24
intended 72:1 87:3
intentionally 186:9
interacting 179:12
interaction 183:18, 24 184:10
interested 172:16 174:14 207:14
interior 119:11 129:21 130:19 135:2
interpret 7:13
interrogatories 172:1
interrupt 7:19 34:12
interruption 18:11, 14
Interstate 87:16 89:5 90:22 91:5, 6 93:6
intertwined 180:14
intervene 169:20
interview 137:4, 20 139:5 166:2
interviewed 135:14 139:15 166:12 184:1, 3
intestine 66:11
investigating 143:14 188:10
Investigation 135:16 143:16 185:22
involuntarily 28:19, 20 68:18, 19, 22
involuntary 74:19
involve 60:22
involved 23:18, 19 61:10 178:1 182:19 199:20
involvement 20:4 24:12
irritable 25:18
IRS 50:14
issue 180:1
issues 20:8 23:8 74:25
it' 155:13
it, 155:18 156:15
It'd 30:19
its 86:22
< J >
jail 59:24 80:1, 6, 7, 25 81:6 111:21, 22 113:4 135:22, 23 136:23, 24 138:12
jail, 136:18
JAMES 1:20 206:7
January 12:2 65:10, 25 198:14
J 19:4 127:19

128:5 133:20
JASON 1:16 124:1 206:7
Jennifer 54:4, 5 55:10 56:6 57:3
Jennifer's 180:5
Jessica 52:11 53:7, 13 165:17, 19, 20 166:1, 12
Jessica's 52:13
job 16:10 73:6 75:17, 17 76:1 77:3, 14 78:13, 17 119:25
jobs 32:9 47:8
Jodi 102:19, 20, 24 103:24 104:13 145:13, 14 149:18 150:15 151:1 194:15
Joe 176:22
Joe's 66:25 67:12
John 41:10
joined 93:25
joint 49:9 173:25
Jordan 2:6 3:5
Jose 178:7, 8, 12
Joseph 3:11
Josh 55:15 56:9
Joshua 53:22 54:7 55:14
Jr 1:6 3:3 5:20 19:10, 11, 11, 17 42:9 47:25 93:3 133:5, 10, 12 206:6
jscott@ohiowagelawyers.com 3:14
JUDGE 1:7 189:6
judicial 24:13
July 2:9 5:2 206:4 207:18
jumbled 35:7 76:13
jump 62:1 115:4
June 13:20, 22 22:12
Junior 133:5, 13 155:5
Junior's 131:18
jury 184:20, 22 189:6
justification 191:18
justified 191:11, 17, 24
juvenile 23:22 24:8
< K >
keep 10:3 75:5, 6 76:10 84:1 132:15 133:18 174:7
KELLEY 1:18 5:17 169:16, 19, 22 170:11 171:1 182:7 183:12 185:20 186:8, 17 187:3 193:1, 9 206:7
kept 14:12
Kiddie 40:13
kids 25:6 37:25 38:1 75:22 77:25 78:2 81:18 83:10 92:6 110:1 127:9, 14 132:1, 12 141:6

143:24 157:7 163:4
 174:25 177:20 178:21, 25 179:10, 12, 14 195:7
kill 141:13 189:8
killed 126:17, 18, 19 189:15
kind 9:23, 25, 25 46:5 105:19 112:12 117:24 127:18 144:15 156:1 186:20
King 39:11, 19
kinds 8:15 178:20
King 46:14, 16
knew 63:1, 5, 12 72:22, 23 109:14 134:7 135:21, 22 136:23, 23 148:19 150:1 155:7 160:9 162:25 164:3, 6, 7 170:18 193:23
knife 62:24
knives 192:8
know 9:16 11:6, 8 12:4, 5 21:1, 3 24:4 26:10, 11 27:25 28:6, 10, 12, 22, 23 29:3, 4, 5 33:11 38:20 39:4 42:2 46:21, 22 48:9, 11, 16 49:18 50:6, 15, 20, 22, 23 51:1, 9, 11, 14, 16, 25 52:3, 13, 14, 17, 23 53:5, 7, 9, 23 54:12, 15, 15, 18 55:6, 17 56:1, 21 57:1, 1, 2 58:7, 8 59:15, 23 60:1, 6, 20 61:6, 7 63:23 64:8, 17 66:6 67:7 68:2, 14 69:20, 25 70:19, 21 71:3, 6, 6 72:6 74:3 75:19 79:8 80:5, 6, 20, 23, 24 81:8 85:25 87:8 88:3 89:21 90:8 93:2 94:18, 20, 22 96:24 99:25 100:1, 1 101:14 102:13, 16, 22 103:15, 16 104:8, 14, 16, 25 105:2 106:19 107:25 108:19 110:14, 16, 16, 21 112:10, 10, 11, 12, 19 113:3, 14 114:21 115:1, 5, 17, 23, 25, 25 116:2, 19 118:21 121:5 123:15, 15, 15 125:21 126:7, 18 127:3, 25 129:7, 9 131:12, 16, 17 136:1, 1 137:3, 5 147:8 148:15, 20 150:1 151:1 154:17 156:7 158:17, 23 160:9, 16, 22 162:1, 5, 5 164:6, 12, 16, 24 165:5, 12, 14 167:5 168:22, 24 169:16 170:5 177:22 178:18 179:3, 4, 6 180:14 181:4, 10 184:7, 25 186:6 188:24 192:12 196:24 204:9

knowing 89:23 172:16
 199:16
known 136:14
KOBAK 1:20 5:18 206:8
Kolbe 67:2, 4

< L >
L.P.A 3:17
labeled 130:7
lack 14:15
lady 51:14, 18 79:5
 184:17
Lake 15:16 17:10
lap 133:2
lasted 140:14
lastly 201:1 202:3
late 77:13, 19
lawsuit 5:18 36:7 157:4,
 12, 14 158:16 172:5
 176:25
lawyer 57:20 157:24
 158:1, 3, 5 199:9
lawyers 6:3 8:8, 10
 172:9, 15 196:21
lawyers, 197:1
leading 63:18
leads 35:3
learn 199:9
leave 76:21 80:8 81:17
 180:15
leaving 46:23 87:4
Lebanon 59:16, 21
led 64:23 164:16 199:19
left 61:1 70:25 73:16
 75:13 76:17 78:17, 18, 20
 91:6 97:21 114:20, 25
 128:20 144:12 194:14
legalese 157:3
lengthy 63:17
level 141:6 181:22 182:6
levels 140:24
liberty 201:19
license 16:4 33:23 34:2,
 5 85:19, 20 92:20, 24
 135:25 137:2 153:17
licenses 34:17, 17
lie 141:10
life 47:12 62:20 122:22
 126:22 186:23
lifetime 25:7
light 89:15 91:5, 13
lighting 164:5
lights 89:14 90:25 91:8,
 11 92:5, 9
likewise 50:16 162:21
 163:21
limit 88:23 159:15 160:1,
 13 198:22 199:2
line 150:9, 11 155:24

202:6
lines 104:6 112:3 202:12
list 127:18
listen 103:4 120:12, 12
 147:25 191:19
listened 167:18
lit 159:19 163:23 164:1, 2
litigation 6:21
little 22:21 48:18 57:18
 76:19 77:20, 21 78:3
 121:2 133:23 148:3
 157:17 171:22 195:12
 196:11
live 43:2, 6, 14, 15, 16
 44:9, 15 54:5 55:23, 24
 146:9 179:14, 21 195:14
lived 19:25 25:4, 6 43:8
 44:3, 15 49:6 50:3, 19
 52:2 53:4 166:5 174:10
lives 44:7 54:16
living 15:13 47:13 48:3
 52:25 53:1 54:18 55:12
 173:20 179:5
LLP 2:7 3:5
local 46:15 165:22
located 15:15 38:24 40:7
 131:5, 8 142:6, 24 202:16
location 43:13 109:3
 202:25
long 6:13 9:14 13:12, 16
 15:17 22:1 28:13, 16
 31:1, 11 41:17 42:9 44:3
 59:4, 10 78:13 87:2
 140:14 151:8 168:21
 178:4, 12
longer 9:12, 13 23:12
 78:14 171:20, 22 177:3, 9
look 73:25 82:6 85:13
 108:18, 21 119:2, 4, 5
 120:13, 15, 19, 25 161:20
 164:9 170:24 182:10
 198:19
looked 121:12 132:20
 138:10
looking 72:11, 12 84:1
 86:11 119:9 123:2, 24, 25
 124:1, 4, 9, 10, 12 125:25
 126:2 128:9 129:22
 131:2
looks 25:14 147:18
Lorain 33:8, 20 46:9, 12,
 15, 15 47:23 54:20, 23, 24,
 25 55:2, 4, 4 56:12 58:17,
 19, 22 59:7 66:20, 22, 23
 67:6 79:5 80:18 85:23
lose 33:23 106:7
lost 182:1, 3
lot 66:14 90:7, 9 150:16
 177:17 178:24 194:23

Lots 59:23 147:5 177:14
louder 10:2
love 111:23 113:3 138:11
loved 111:24, 25 138:13,
 21 177:19, 19
lower 49:4
LPD 81:11
LPN 15:22
lying 58:1

< M >
Ma'am 203:7
machine 196:11
maintain 178:14 187:9
maintained 64:15
major 21:16, 16 22:24
making 18:6 65:13 95:17
 135:10
man 23:7, 8 47:9 61:19
 85:22 174:25 189:8
manage 14:3
Mandy 155:6
maneuvered 96:24 97:2, 7
 98:1 125:13
maneuvering 187:14
maneuvers 91:22
manner 6:16
man's 85:24
Mansfield 59:8, 21
March 9:22, 22 11:11
 12:17 15:5 17:11, 17, 23
 18:6 21:9, 17, 22 22:1, 6
 27:3 34:1 35:22, 24, 25
 36:1, 7, 9 75:7, 9, 12
 78:24 79:2 80:17 81:11
 82:9 83:10 85:5 86:7, 22
 87:10 166:8, 13 167:20,
 22 177:3, 8 182:20 183:8,
 11, 20 185:10 198:9 199:3
Marcus 3:3 197:18
marcus@jordansidoti.com
 3:7
marital 18:17
mark 8:2 82:5, 10 84:18,
 21
MARKED 4:8, 11 82:14,
 25 84:24, 25 89:3 156:21,
 23 173:3, 5
maroon 85:4, 14, 16, 17
 86:22
married 18:19 42:5 52:8,
 11, 16, 19
marry 57:3
maternal 25:2
matter 34:1 36:7 94:4
 156:1 176:25 185:15
mayor's 79:7
Mazanec 3:17
mean 7:13 34:12 48:9,
 16 50:7 51:22 56:18, 18

62:16 63:5, 16 68:17
 71:3 73:6, 10 76:8, 19
 77:19 86:15 97:14
 100:19 105:19 110:10
 115:2 117:25 120:3
 121:6, 12 124:4 125:18,
 19 126:23 131:12 134:3,
 4 136:13, 14, 16 137:5
 138:20 139:13, 20 141:8
 146:18, 18 149:3 153:10
 154:20 155:20 156:3, 3
 161:8 163:9, 10, 11 167:3,
 12 168:3, 7, 10, 23, 23, 25
 170:5 174:7, 10, 10, 20, 24
 175:3, 7, 19 176:7, 21
 177:5, 12, 13, 16, 20, 21
 178:5 179:3, 4, 5, 6 180:1,
 9 181:2, 8 186:20 188:22
 193:23
means 7:19 9:16 55:17
 90:9 129:2 157:12
 164:12 207:8
meant 24:19 33:12 112:6
 121:23 155:19 169:13
media 199:25
medical 15:22 16:4, 12,
 18 17:1 18:14 25:9, 10
 27:2 37:3, 9 40:15
 126:23 127:2 195:22, 24
medication 8:22 9:1, 10
 12:18 22:18 26:20 66:15
 69:13, 20 70:11, 14 72:7
 74:7, 10 153:24
medicine 70:19
Medina 46:13
meditation 14:4
meds 73:13, 19, 21 76:3
 153:5, 11
meet 5:25 127:23 194:5
 204:11, 14
meeting 5:15
 [REDACTED] 25:17
member 179:16
Memorial 65:20
memories 177:23
memory 12:1 79:16
 88:23 95:11 117:1, 6, 10
 121:6, 7, 17, 25 142:5
mental 12:21 27:11, 25
 40:20, 24 66:21 67:15, 20
 74:20, 25
mentioned 63:17
Mercy 67:5, 10, 11 68:6,
 23 69:5 75:1
messaging 75:18
met 6:23 7:1 42:11, 18
 45:23 47:4 194:3 204:13
Metro 102:17
mic 44:22

mic'd 6:25
Michigan 53:8, 9
microphone 158:6
Middle 38:17, 19 43:8
midnight 75:12
miles 88:22, 22 93:11, 19 160:1, 2, 12
MILLER 1:16 5:17 112:23 115:23, 24 116:2, 5, 13, 25 117:8 124:1 134:12 142:11, 14 167:24 170:6 171:1 182:8 183:15, 16 184:13, 19 185:4, 8 189:1, 16 192:9, 12, 21, 24 193:7 202:10 203:8 206:7
Miller's 142:5, 24 188:3
milligrams 11:7
mind 50:6 57:15 90:8 107:17 118:9 136:14 156:6 171:11
mine 101:1
minimize 127:7
minus 16:24 44:5
minute 44:20 78:21 191:19 197:5
minutes 13:18 45:15 86:9 140:16, 18 141:12 171:10
misdemeanor 33:2, 21
mispronounce 39:22
moment 197:25 198:5, 19
Mona 41:23
Monday 17:20
money 174:8 175:21 176:19 181:8, 10
month 9:18, 20 13:9 17:25 18:12 29:10 66:6 79:13, 19 176:13 178:13
months 22:3, 4 25:1 44:5, 18 175:7, 19
[REDACTED] 69:12 74:10
Moran 4:15 135:19, 21 136:4, 7, 21 137:4, 12, 20 138:9, 18 140:21 141:4 173:15 188:11, 16, 25
morning 5:13, 14 75:9, 13 78:18, 20 79:2 92:1 195:3
mother 24:21 53:5, 11, 24 54:1, 8, 17 55:5, 9, 25 56:1 85:24 102:21, 21 103:5, 9 104:2, 5 145:6 174:23 176:22 180:1, 10 181:18, 19
mother's 180:7
motion 6:16
motorist 92:10

mouth 65:13 113:23 114:12, 14 115:13 134:13 138:1 143:7 161:12
move 95:22 107:1, 4, 20 121:2 122:23
moved 43:7, 17, 17 46:12 54:18, 19
movement 122:21 123:4, 12, 12 126:12, 14
movements 117:1, 3 121:25
movies 179:7
moving 122:6, 7 125:22 126:3 200:13
Municipal 33:8, 20 60:17 79:7 80:11

< N >
name 5:15 10:20, 24 19:10 20:18 23:15 28:12 29:5 41:9 42:2 52:11, 13, 16 54:3, 10 61:5 63:23 64:8 86:6 115:23, 24 135:18 145:23 170:18 178:6, 7, 8 194:24 197:18
named 47:9 151:21
names 18:25 53:18 77:8 152:8 167:5
name's 127:25
N [REDACTED] 53:20
nature 20:15
Nausea 12:9
nauseous 11:19 12:9
near 203:15
necessarily 193:5 205:3
necessary 84:20
need 7:24 8:4, 7, 8 30:1 36:22 38:2 57:21 71:19 75:4 101:21 122:24 158:2 173:12 196:3
needed 11:15 23:11 76:1 77:14 148:2 180:2, 3, 4 181:2
neither 110:20 123:18 174:9
never 10:7 53:2 74:14, 15 80:24 81:9 102:12 109:13 116:7, 9 133:15 135:1 136:12 155:4, 6 174:6, 11, 22 175:20 176:17 180:1 185:8 186:10 189:14 190:18 192:9
New 61:11
newscaster 165:9, 10, 15, 16
nickname 145:18
night 41:15 78:11 92:1 145:3 149:19 151:8

nights 41:19
nine 44:5
ninth 39:16
nod 7:14
noise 9:25 105:2 116:7
Nord 67:23, 25 68:1, 8, 12, 15, 21 69:17 74:18, 25 139:22
normal 68:3 101:16 176:21
North 41:25
northbound 87:17, 20, 23 88:4, 20 89:5 91:8 93:11
NORTHERN 1:2
Notary 2:5 156:19 172:24 173:1 206:23 207:5, 21
note 198:12
noted 206:10
notes 159:2
notice 18:4
noticed 161:1, 7 162:7, 8 163:8, 10 199:6
notwithstanding 100:15
November 52:12 53:22
number 28:6 53:12 84:11, 12 90:7 92:25 95:6 102:11, 15, 22
numbered 162:12 167:24
numbers 159:5 175:14
nurse 38:19
nursing 15:14 16:7 127:1 175:10

< O >
OB 29:10
Oberlin 178:18
object 107:16
Objection 23:20 25:19 27:20 32:16, 25 63:3 81:7 95:9 97:10 98:6, 17 99:10, 21 100:17 107:9, 23 108:9 117:13 121:10 122:4, 15 148:22 161:5, 15 162:3, 14 163:5, 24 168:5 184:24 185:12, 18 186:12, 18 188:6, 14 190:2, 5, 11 191:5, 12 192:2
objections 196:13, 19
observant 170:22
observation 76:6
observations 7:8 72:13 76:5
observe 73:17 181:22
observed 73:19, 22 74:6 88:21 132:12
observing 72:24
obstructive 25:16

obviously 62:1 78:9 131:12 154:17
occasion 66:19
occupants 162:23
occur 183:7
occurred 27:14 36:7 97:17 109:19 127:14 199:3
occurrence 198:9
October 66:7
of'99 52:12
off, 180:8
offense 33:21 80:13
office 43:21 207:18
Officer 5:17 34:15 63:22 64:8 80:22 87:19 89:2 95:19 97:1 98:2 112:23 115:22, 23, 24 116:2, 5, 13, 25 117:8 123:24 124:10 134:12 140:4 142:5, 11, 14, 24 147:23 148:1 151:21, 24 152:9, 11, 18, 21 153:7, 16, 18, 22 154:4, 9, 11, 23 156:8 160:10 161:1, 7 170:11, 15 171:1 182:8 183:23 184:7, 7, 19 185:4, 8 188:3, 11 189:1, 16 191:1 192:12, 21, 24 193:7 199:6 201:17, 17, 20 202:10 203:8
Officers 5:17 35:4 93:2 143:14 147:1, 4 161:25 162:2, 22 163:3, 17, 22 164:18 166:21 169:24 170:4, 8, 14 184:5 188:12 189:17, 25 199:15, 16, 20 200:3, 8, 21
officer's 152:4
offices 2:6
off-the-record 196:4
Oh 13:16 19:6 20:19, 23 33:14 35:11 41:6 77:5 105:18 108:23 111:25 118:17 119:14 120:20 134:17 164:1
OHIO 1:2, 14 2:3, 6, 8 3:6, 13, 18 16:20 50:17 116:12 135:15 207:3, 5, 18
Okay 6:6 7:4, 9, 14, 19, 24 8:5, 13, 22 9:12, 21 10:13, 23 11:1 13:6 16:3, 14 19:12, 14, 18 20:6 21:5, 7 22:21 23:1 26:4, 17 27:1, 13 31:13 33:7, 25 34:6, 11, 25 35:3 36:4, 23 37:1 39:9, 16 42:13, 15, 17 43:19 44:19 45:8, 13, 16, 19, 22 46:3, 16, 18 48:25 49:22 51:2, 25 52:6, 16, 21 53:18 55:2,

11 57:13 58:3, 8 59:12,
15, 20 60:20 61:9 64:1,
10 65:1, 4, 11, 18, 24 66:8,
16, 18 67:14 69:15, 18
70:13, 22 71:12 72:9, 11,
13 75:4, 4, 11 77:1, 10, 17
79:6, 10 81:23 83:7 84:1,
6, 8, 17, 25 85:7, 11, 19
86:19 87:1, 6, 9 88:5, 16
89:1, 8, 10, 13, 17, 20 91:2,
15, 20, 25 93:23 94:20
95:5 97:20, 24 98:23
99:16 100:14, 23 101:4,
14 103:22 104:18 105:10,
12, 21 106:11, 23 107:7
109:18 110:7 111:1, 3, 18
112:8, 10, 11, 11, 21, 23
114:2, 19 115:1, 7, 20
116:5, 20, 23 117:8 118:5,
13, 16, 18, 24 119:2, 4, 9,
14, 21 120:3, 6 122:24
123:24 124:21 125:8, 12,
17 127:5, 9, 13, 17 128:5,
11, 15, 25 129:6, 13, 15, 17,
20 130:1, 16, 25 131:7
132:1, 4, 7 133:2, 8, 14, 18,
23 135:7, 14 137:18
138:2, 7, 20 139:1 140:10,
17 141:11 142:2, 11, 14
144:3, 5, 16 145:5 147:10
148:9 149:5, 11, 18, 20
150:6, 12, 17 151:7, 11, 20
153:14 154:3, 25 155:23
158:15 159:1, 8, 11, 13
160:15, 25 161:19 163:20
164:9, 12, 15 166:18
167:6 168:13 169:2, 4, 13
170:2, 10, 21 171:4, 8, 25
172:7, 19, 22 174:2
175:25 176:6, 24 180:23
181:25 183:25 185:3, 6
188:18 191:22 198:12
199:5, 24 201:11 204:14
205:5
old 9:25 24:10 45:24
66:25
older 77:12
on, 62:23
once 7:20 50:8 51:17
52:1 71:9 121:8 142:4
164:18 168:2 183:25
196:2
one-on-one 38:2
ones 108:19 120:15
one-year 16:23
ongoing 29:19
Open 40:6 109:20 111:6,
11 112:17, 18 115:20
131:16

opened 31:8 116:25, 25
121:8 122:1 123:22
127:10 129:11 134:1
138:14 142:15 154:11
202:17, 19 203:8
opening 112:22 114:22
124:11 202:10
opens 112:23 113:14
125:1 128:18 134:16, 23
142:20
operated 39:2
operating 88:21 94:24
159:14 198:22 199:1
opinion 72:10, 12 126:23
186:24 189:9, 18, 20
190:19, 20, 23
opinions 172:12
opportunity 85:13 170:24
192:10 204:6
opposed 51:12 72:17
115:10
opposite 91:16, 18
option 189:14
order 23:13 56:8, 15
83:12 87:6, 23 123:2
205:4
ordered 164:17 200:21
205:2
orders 56:11
organized 131:14
outnumbered 62:2
out-of-pocket 15:1
outside 169:23 170:16
28:3
overhead 89:14
overheard 154:6, 23
overnight 27:7 37:13
41:5 64:19
overwhelming 31:17

< P >
p.m 205:9
PAGE 4:3, 11 138:5, 6, 8
159:5, 5 161:21 164:9
198:18 199:14 200:13
pages 84:11 206:8
paid 35:6, 19, 22, 24, 25
36:9 56:19, 24 88:4
174:3, 3, 3, 11 175:15
176:16
pain 26:20 115:3
painful 36:22
paper 76:13
paperwork 14:1, 8 28:23
paragraph 158:18, 21
159:3 160:18, 25 161:20,
24 162:12 164:9 167:24
198:18, 23 199:5, 14
200:13 201:1
paragraphs 158:16 198:17

73:12, 13, 15, 17,
22
67:22 74:5
139:6, 14, 16 153:4, 23
Parent 1:9 3:9 5:21
157:6
parents 31:17 50:22
145:10 146:25 151:12
154:16 166:3, 6 181:1, 7,
11, 15, 17
park 178:23
parks 179:9
parole 63:16, 20, 22, 24
64:5, 8, 15 80:22 135:23
136:17, 25
part 66:10 105:23
122:21 123:6 125:23
126:7 137:19 156:4
180:8
participating 6:15
particular 23:14 83:11
201:21
Partners 67:3, 5 75:1
parts 151:11 156:4, 6
party 207:13
pass 16:21
passed 17:20 24:22, 23
36:14, 16 42:23 43:12, 17
47:10 54:19 70:20 81:15
89:19 149:10 177:21
184:8, 12
passenger 99:7
passengers 152:22 190:25
passenger's 95:16, 20
96:7, 8, 13 97:8 100:3
125:8
passing 36:3 61:17 64:6
153:16
Patel 41:23, 24 42:1
Patrol 116:12 152:2, 4, 12
Patrolman 183:15, 16
pattern 73:1 75:20
patterns 72:21
PAULEY 1:8, 10 2:1 3:9,
19 5:8, 13 6:13, 19, 23, 24
7:2 45:2 46:10 88:10
90:15 138:9, 10 197:3, 18
206:3, 6, 13 207:6
pause 168:19, 19 201:6
paused 167:25 168:14, 15
Pavilion 28:9
pay 35:7, 15, 16 56:17, 18
80:3, 4 89:9 94:25
148:14, 15 175:4 176:7, 8
179:23
paycheck 60:12, 15 61:3
paying 56:13 59:24
87:12 176:12
PCP 10:17

PCS 102:17
PD 80:18
pedestrian 62:12, 16 63:2,
12
pediatrician 41:22
Pennsylvania 85:19, 20
pension 180:20
people 31:18 47:19
73:24, 25 84:4 128:1
145:3 149:10 162:6
170:3
percent 54:22 126:20
179:25
perceptible 168:19
perform 195:8
performed 192:13
period 35:9 46:13 48:4
50:2 134:15
permission 196:2
person 24:17 57:23 74:4
77:4 87:9 136:14, 15
148:5, 5 152:14 155:7
169:23 184:6
personal 47:19 77:4
personally 11:19 37:4
70:20 162:8 177:1, 2
200:18
person's 178:6
pertinent 200:10 201:24
203:8
Petro 2:5 207:5, 21
pharmaceutical 12:6
Phillips 43:10
phone 53:12 102:1, 2, 3, 6,
11, 12, 14, 14, 15, 22 103:7,
17 104:8, 8, 10, 14, 16
147:6, 9, 10 148:4, 23
149:7, 8, 9 150:9 151:4, 9
154:6, 10 156:8 201:12,
14, 15, 18, 19, 20, 21 202:1
phones 184:4
Photo 4:13 84:2 85:13
86:13 129:20, 20, 25 143:2
photographs 86:19 119:3,
10
Photos 4:12 82:17 83:24
84:8, 8 85:2, 8, 9 86:12
106:23 112:16 120:7
130:11, 12, 12, 18, 23
131:1, 3, 3 142:22, 22
182:10, 13, 17, 23 183:1, 6
phrase 139:14
physical 37:6 181:14
physically 129:10, 12
146:22 177:10 192:24
193:1
physician 10:17 71:18
physicians 15:3 25:11

pick 55:25 56:1 61:13
 130:17 146:19 148:4
 149:15 180:7
picked 194:13
picture 120:25 193:9
pictures 108:15, 22
 120:17 193:7
pills 70:25 71:2
pink 68:17
pink-slipped 68:5
pink-slipped, 68:17
pinpoint 131:4
place 28:12 54:21, 22
 62:22 74:24 142:18
 207:11
placed 132:16 189:24
 193:11
placement 202:4
places 47:20
Plaintiff 2:2 3:1
Plaintiffs 1:11 3:9
PLAINTIFF'S 4:8
plan 38:5 180:21
plate 85:19, 21 92:20, 25
plates 86:1
play 166:15, 19
Playing 179:5
plays 132:9
please 5:5, 24 18:25
 19:19 30:5 32:22 36:23
 43:22 53:19 56:25 61:10
 65:7 67:17 73:23 78:22
 82:6, 18 84:5, 13, 22
 103:2 108:18, 20 115:8
 122:25 134:19 135:3
 145:25 146:2 158:18
 161:12, 20 164:10 171:21
 178:22 196:23 204:1
plenty 60:6 159:19
plural 202:20
plus 16:23 44:5
PM 27:22 28:3, 5
 [REDACTED] 25:16 41:6, 20
point 44:13 56:19 61:17
 81:14 90:21 93:5 94:11
 104:21 106:7 114:4
 125:13, 14 126:2 132:25
 133:24 135:7 138:15
 142:18, 19 143:13, 24
 144:21 156:2 158:23
 164:21 186:2 187:22
 192:6 195:19 196:8
 199:11
police 33:15 34:6, 15, 19
 35:4 60:18 86:24 87:18
 88:19 89:2, 3, 11, 13 91:3
 92:24 93:10, 18, 24 94:4,
 7, 12, 15 95:7, 14, 15, 17,
 19 96:11, 13 97:1, 1, 6, 7,
 21, 25 98:12, 15, 25 99:5,

8, 19 103:3 107:8, 21
 108:5, 17 109:5, 16
 112:15 115:22 119:15
 123:24 132:17 140:4, 19
 142:5 143:25 144:20
 146:21 147:2, 2, 12
 148:21 149:5, 14 150:1, 2
 151:5, 21 152:4, 6, 7, 15,
 23 153:3, 7 154:7 159:14,
 24 160:8, 10 161:1, 7
 163:22 165:6 166:21
 170:4, 8, 11, 13, 15 182:18,
 19 183:19, 21, 25 184:2, 5
 187:7, 10, 15, 19, 24
 189:17 191:1 193:4, 10
 199:6 200:3 201:13
poorly 121:22
porch 74:1
portion 8:3 200:15
position 86:23 169:20
possible 161:3 191:10
possibly 162:13
 [REDACTED] 14:2
practice 6:16 10:18, 20
 41:24 42:1, 2
practitioners 15:4
preceding 49:14 64:17
 74:22 175:9
pregnant 27:10 61:12
prep 47:8
prepare 38:11
prepared 38:19, 20 62:21
 111:3 171:4 207:8
preschool 40:10, 14
prescribed 10:14 69:12
 74:10
prescriber 69:15
prescribing 71:6
prescription 11:2 69:20
 70:17, 18, 21 71:4, 10, 11
 74:14
prescriptions 9:3
presence 207:8
PRESENT 3:19 6:6, 13
 43:22 85:7
presented 184:20
presently 43:13
presumably 189:5
pretty 48:17 123:11
 181:17
prevent 169:20
primary 10:17 42:3
printed 14:8
prior 18:4 20:7 21:9, 17,
 19 22:1 30:9, 12 32:24
 35:19 36:3 44:9 59:13
 61:14 62:18 65:8 69:5,
 16 70:10 71:13 78:1
 105:25 112:22 114:22
 121:20 123:23 134:10

149:25 175:15 195:8
 200:18 202:9, 10 203:13
prison 44:17 47:13 48:5
 57:13 58:13, 15 59:4, 10,
 25 64:1, 3, 12, 18 69:16,
 19 70:24 73:16 78:4
 136:16 175:15, 17, 17
private 39:3 147:8
Probably 21:25 32:6
 48:18 56:5 60:21 72:9
 77:20 86:7 123:23 130:2,
 2 135:13 146:20 149:15
 150:16 176:1 182:15
 193:21
problem 84:22
problems 37:16
Procedure 2:4
procedures 200:16
process 7:6 57:21 76:15
 121:2
produced 207:8
professional 29:22 40:25,
 25 69:10 71:18
promise 128:3
pronounced 146:4
proper 167:5
properly 196:19
propped 117:24
prove 126:20
provide 174:16 181:1, 6,
 14, 19
provided 21:13 175:19
 181:10 199:10
provider 102:16
provides 20:16
Psych 24:22, 22
psychiatrist 29:5
psychologic 195:22
psychological 37:16
 195:23, 24
psychologist 13:3 20:17,
 18 21:8, 19 22:5 29:6
 38:18
 [REDACTED] 14:6
Public 2:5, 7 3:6 37:24
 38:11 39:2, 3 206:23
 207:5, 21
pull 12:5 83:5 84:4
 89:25 90:3, 6, 14 103:4
 134:17
pulled 79:1 108:20
 120:16 135:25 137:1
 184:15
pulling 90:24
pulls 186:20
 [REDACTED] 25:17
purchased 85:22 174:4
purposes 83:1 156:24
 173:6 196:16, 17

pursuant 2:3
pursue 161:2
pursuing 50:14 161:24
 189:25 191:1
pursuit 90:6, 13 93:25
 101:5, 21, 25 102:25
 105:10 109:25 140:14
 144:9 151:2 163:17
 187:25 199:22
pushed 180:1
put 17:18 27:11 66:14
 73:21 80:1 130:10 135:2
 137:25 138:12 147:7
 152:16 182:15 190:20, 24,
 25 198:5
putting 184:14

< Q >
question 7:16 8:9 10:6
 16:16 18:13 19:7 22:21
 25:5 31:3 33:17 34:9
 42:7 57:19, 22 63:9, 10
 70:22 72:14 96:24
 107:14 120:12 121:16
 122:24 123:13 133:23, 24
 134:19 136:20 138:20
 141:3 144:13 147:25
 154:3 158:1, 4, 20 174:7
 177:13 182:4 191:20
 197:22
questioning 202:7
questions 7:12 8:5, 23
 19:19 21:4 34:11 36:21
 42:8 45:19, 20 92:20
 115:6 128:21, 22 144:8
 157:25 158:15 162:10
 171:25 172:2 196:12, 18
 197:20, 22 198:7 202:3, 5,
 15, 17 204:1, 16, 21
quit 11:20 71:16
quite 65:6
quote 136:23 138:10
 153:15, 22, 24 154:7, 11,
 12 156:13
quoting 200:15

< R >
R.E 1:10 3:10
racing 68:2 72:2, 3
rain 92:5
raining 92:2
raise 5:5
raised 46:4, 7, 12
ram 107:7, 20
rammed 95:7 108:6
 109:6, 8, 12 186:22 188:4
ramming 99:18 107:25
ramp 90:22, 24
ran 60:12 91:5, 13
 188:23, 24 189:8, 13

Raskin 3:14, 17 4:4 5:12, 15 6:11, 22, 25 7:3 23:23, 24 26:1 28:2 30:1, 4, 8, 17, 21 32:19 33:3 45:7, 13, 16, 18 63:7 81:10 82:10, 15, 21, 24 83:15, 23 86:10 88:15 95:13 97:11, 15 98:9, 20 99:13 100:5, 22 101:3 107:11, 13, 16, 18 108:3, 13 109:1 117:18 121:14 122:8, 18 130:4, 5, 9 141:13, 23 149:1 156:18, 22 157:1, 23 158:14 161:10, 18 162:11, 17 163:6 164:8 168:9 171:9, 19, 24 172:23, 25 173:4, 8, 9 185:2, 14, 19 186:15 187:1 188:9, 17 190:3, 8, 14 191:8, 14 192:11 195:16 196:8 197:7 198:7, 17 203:25 204:4, 20 205:4
rates 92:4, 9
Ray 184:12
reach 26:4 117:15, 22 135:8 166:1
reached 117:9 135:11 140:7
reacted 62:25
read 8:2, 3 128:10 138:1 158:17, 18 159:3, 25 160:18 161:21 164:11 173:14 186:1, 3 196:15, 22 205:1, 5 206:4
read, 196:23
reading 111:18
ready 8:5 88:16 104:10 141:24
real 50:24
really 14:17 23:7 51:11 63:14 72:11 81:23 121:23 124:25 133:10 137:22 173:22 174:6, 11 193:24 201:2
rear 81:21 106:2 131:8
re-ask 19:7
reason 37:14 77:1, 13 123:13 137:10 140:19 141:9 143:9 152:13 186:16 188:23 189:21
recall 11:25 21:2, 5 23:16 34:14 60:7 64:9, 23 71:12 77:9 89:1, 23 90:21 91:25 95:11, 16, 23, 25 96:3 97:19 99:23, 24, 24 100:4 104:21 107:25 110:8 111:2, 16 116:20, 21 122:6, 7 123:9 131:14 135:10, 13, 14 137:3, 6, 19,

22 138:23, 25 139:3, 4, 5, 18 140:5, 9, 14, 21, 25 141:3, 8 143:14, 22 144:8 148:8 149:12, 17, 20 150:6, 8, 14 151:19 152:3, 6 153:25 154:2 155:14 169:7 183:2, 3 186:8 187:7, 11, 17 188:16, 25 189:3 201:13 202:6, 13, 17, 22, 25
receive 22:9
received 25:14 29:16 37:4, 9 86:5 171:2 182:7 199:24
receiving 49:23
Recess 45:1 88:9 141:19 171:15
recognize 157:7 193:6, 8
recollection 51:3 86:14 91:9 100:24 110:22 114:3 156:13 203:7
reconnected 42:21 48:3
record 5:1 8:11 34:12 44:24, 25 45:5, 6 83:13, 17, 18, 19, 21, 22 88:7, 8, 13, 14 92:25 141:16, 18, 21, 22 158:9, 10, 11, 13, 13 171:9, 13, 14, 17, 18 185:7 197:9, 11, 12, 14, 15 204:23, 25
recorded 148:21, 24 149:6 196:20 202:1
recording 149:9
records 12:5 23:22 25:13, 14 26:6 88:19 91:2 93:9, 17 96:10 97:5, 24 98:12, 25 99:4 108:4 139:23 140:17 170:25 195:23, 24 196:2
recount 84:19
RECROSS-EXAMINATIO
N 204:3
red 82:1 84:9 85:3, 14 91:5, 13 132:20
reduced 207:8
re-entered 93:5
refer 116:1 155:4 200:2
referenced 196:25
referred 133:13 157:15 200:1 202:20
referring 198:21 200:20
refers 201:7
refilled 70:19
reflect 25:14 91:3 97:6, 25 108:5 140:17 183:1
reflected 188:18
reflection 143:10 169:5
reflects 152:1
refresh 79:15 91:8

refusal 190:16
refused 153:16
regard 25:9
regarding 50:17 202:3, 5, 15
regards 197:2 199:2 201:11
registered 85:23 92:21
regularly 9:3, 5 21:19 55:14 71:14
rejoin 45:14
relating 185:9
relation 86:23 142:8, 19
relationship 108:16 178:1
relative 207:13
release 64:12
released 29:24 70:2
releases 196:5
remain 42:23
remaining 70:14
remember 7:11 20:21 21:4 34:10 50:3 51:14 61:4 68:12 75:24 79:16 89:6, 23 90:24 91:10, 11, 13, 14, 15, 18, 19 96:18, 20 99:12, 14, 17 100:2, 3 104:4 105:1 110:23, 25 113:22, 23, 23 114:1, 6, 8, 11, 16, 23, 24 115:10, 11, 12, 22 116:5, 7 123:10, 16 135:18, 21 136:2, 3, 5 138:17, 24 140:11 143:20, 21 146:18 148:3 149:16 150:18 151:11, 20 152:8, 25 153:6, 9, 18, 22 154:12, 14, 25 155:25 156:5 159:17, 24 168:23 172:1 184:17 187:14, 23 194:9
remind 10:5
reminded 79:9
Remnant 31:9
remnants 129:24, 25 130:20
remove 66:10 82:16
rendered 192:17
rent 174:3 175:4
repeat 168:7 194:16, 17, 21
repeatedly 101:6 167:25 168:3 201:7
repeating 7:7
rephrase 63:24
Report 4:15 80:21 117:9 137:5 138:6, 8 152:1, 20 153:2, 14 154:5 159:25 172:8, 19 173:11, 14, 15, 17 188:19 192:14
reported 116:13 153:15 154:5

Reporter 2:5 5:6 6:3 7:13, 20 196:10 207:5
reporting 207:15
reports 33:15 34:6 116:11 172:15 186:4
represent 5:16 67:7 183:2, 4 197:2, 18
represented 92:14
representing 7:4
represents 109:3
reproductions 83:8 119:4
request 144:24
requesting 28:25
require 50:18
reserve 195:20
reside 178:16
resided 55:24
residence 87:15, 24
residences 178:14
resides 53:7 54:13 178:17
resignation 18:1
resolution 80:8
resolved 22:14, 24
respect 45:21 115:9
respond 197:23
responded 77:5, 13 138:10
responding 101:12, 13
response 33:17 63:9 140:23 198:25
responses 7:12 151:18
responsibility 34:22
restless 72:24, 25
restrict 121:1
restroom 44:21
result 60:24 176:24 177:7 183:7 190:16
resulted 99:18
resume 45:13 88:16
retirement 180:20
return 17:24 50:4
returned 75:14
returns 49:9, 10, 13, 25 50:12, 17, 18, 21 52:3
reunited 47:2 58:14
rev 111:10
review 173:12 200:14
revving 111:5
Richland 59:16, 21
ride 183:21
Ridgeville 41:25
riding 84:10 85:4 95:8 96:12 98:3 104:22 105:24 109:4 164:19 183:8
right 5:5 6:11 8:7, 15, 18 10:7, 8, 9, 11 21:2 23:17 26:16, 25 32:18 33:23 34:14 35:18 36:17 38:9 45:16 48:15, 23 54:23, 25 58:3, 8, 9 62:8 66:3 67:9,

14 68:21 75:9 77:10
 78:25 80:3, 15 81:2, 17
 84:20 88:18 92:12 93:25
 94:5, 10, 14 95:15 96:2,
 22 97:5, 17 99:17 100:7
 101:7 102:11 105:13, 22
 106:18, 21, 24 109:10, 18,
 23 112:2 113:8 114:15,
 20, 25 115:11, 24 117:23
 119:7, 8, 23 120:1, 5, 14,
 24 121:3 122:17 123:20
 124:3, 5, 8, 12, 17 126:1,
 16 127:5, 15 128:2, 5, 23
 129:21, 22 130:1, 12, 21
 131:22 132:25 133:2, 16,
 19 134:9 136:14 137:18
 139:1 140:13 142:2
 144:1, 13, 22, 24 145:7, 9
 147:12, 15, 16, 21 148:16
 150:13 151:17 155:11, 18,
 21 156:11 157:7 158:24
 159:3, 9 160:5, 23 162:18
 163:12, 21 166:18 167:21
 168:4 169:7 170:8 176:6
 179:1 180:24 182:13
 183:23 187:20, 22 190:10,
 22 191:4 194:19 195:17,
 20 196:7, 7, 15
right-hand 203:3
risk 7:6 189:25 190:9, 15
 [REDACTED] 69:24 70:7, 25
 71:14, 17, 25 72:17 74:8,
 11, 16
RN 15:22
Road 3:12, 18 39:1
 43:20 67:2, 4 92:11
roads 87:13
roadway 62:3 92:16
 142:19
robbers 132:10
role 15:24
roll 117:23 120:10 195:10
rolled 109:9
rolls 117:16 118:14, 21
 119:1, 20, 21, 24 120:8
 129:24 130:20
Ron 47:9
room 6:2 8:12 10:1
 40:14 45:3 46:11 88:11
 90:16 136:15 147:7, 8, 9
 184:3 193:3
round 175:13
Route 31:9 87:7 91:5
Row 3:17
Roy 1:6 3:3 5:20 17:20
 19:2, 4, 8, 8, 10, 11, 17, 21
 27:10, 13, 16 31:8, 8 32:9
 34:16 36:12 40:9, 12, 17,
 22 41:2 42:9, 10 44:8, 16,
 16, 17 45:22, 23 46:19, 23

47:4 48:2 49:4, 9, 23
 50:4, 14, 17 52:8 53:13,
 15, 16 54:19 55:11, 14
 56:8, 13, 24 57:3, 8 58:3,
 12, 22, 25 59:17 61:24
 62:14 63:1, 5, 11 64:18
 66:10 69:9, 12 71:13
 72:6, 16 74:7, 21 75:11,
 16, 22, 23 78:1, 24 80:20,
 24 81:18 83:9 84:9 85:4,
 24 86:2 87:7, 9 88:19
 89:21, 25 90:5, 14, 21
 91:4 92:6, 21 93:2, 5
 94:7, 7, 16 95:7 96:3, 11,
 19, 24 97:7, 20 98:1 99:7,
 18 101:6 103:3 104:2, 4
 105:13 108:6 109:4, 6, 8
 110:5 111:4, 14 113:1, 9
 116:15, 19 117:2, 9, 15
 122:14 123:2 124:9, 12
 129:15, 18 131:4, 7 132:5,
 8, 17, 24 133:5, 10, 10, 11,
 12, 15, 17, 19 134:2, 7
 135:4, 21 136:17 139:6
 140:6, 7 145:17, 18
 146:20 149:18 150:2, 15
 155:4 160:7, 22 166:6
 173:20 174:16, 22, 23
 176:12 177:16, 19, 19
 178:20 180:2, 3, 15, 20
 181:1, 14, 21, 21 184:8, 12
 186:9, 21 187:8, 14, 23
 188:4 189:5, 16, 21 190:4,
 18, 24 192:13 195:12, 13
 197:20 198:21 202:11
 203:20 206:5
Roy's 41:22 47:12 53:11
 54:17 55:9 63:20, 22
 79:19 92:14 97:18
 100:15 102:21 109:14
 110:9 111:8 113:14, 18,
 20 114:7 121:8, 17, 25
 122:21 132:6 145:6, 10
 146:25 151:12 154:16
 166:3, 6 189:24 190:16
 194:15 202:4, 15 203:10
Rule 207:16
Rules 2:3 197:21
run 60:14, 14 136:18
running 135:23 136:16,
 24 150:3
rushing 200:16
Ryder 3:17
 < S >
saved 167:14, 16
saves 150:12
saw 13:8 33:15 34:6
 55:16 73:23 89:13
 106:23 114:20 124:5

127:19 128:12, 17 129:22
 132:2 133:25 134:10, 10,
 25 142:14
saying 5:24 7:21 80:16
 93:17 96:23 100:21
 101:6, 9 104:4 131:14
 135:10 137:8 140:5, 11,
 25 153:6, 9, 12 154:1, 12,
 14, 25 155:2, 3 156:13
 184:18 186:8 195:25
says 13:14 93:14 113:1
 132:10 138:8 153:2
 154:5 161:24 164:1
 167:24
scared 62:20 96:21
 125:18 186:11, 22
Scarvelli 47:21 48:17, 19,
 21 60:12
scene 85:7 152:3, 5, 7
 153:3 164:20 183:2, 3, 21
 184:8 192:23
 [REDACTED] 139:9
 [REDACTED] 139:11, 22
 [REDACTED] 139:9, 9
 [REDACTED] 139:10
 [REDACTED] 139:6, 10,
 14 153:5
school 17:4, 6 37:19, 20,
 24, 24, 25 38:1, 14, 16, 17,
 19, 22 39:2, 3 40:5 46:1,
 4, 8, 18, 24 78:11 180:2, 2
 194:22 195:3, 4, 8, 13
schools 38:11 39:3 46:15
Scott 3:11, 11 6:18 23:20
 25:19, 22 27:20 30:3, 6
 32:16, 18, 25 45:14 63:3
 81:7 82:23 83:13, 16
 95:9 97:10, 13 98:6, 17
 99:10, 21 100:17 107:9,
 15, 23 108:9, 23 117:13
 121:10 122:4, 15 130:3, 8
 148:22 156:25 161:5, 15
 162:3, 14 163:5, 24 168:5
 173:7 184:24 185:12, 18
 186:12, 18 188:6, 14
 190:2, 5, 11 191:5, 12
 192:2 196:7 197:3
 204:12, 13 205:1, 5
script 70:14
seal 207:18
seat 118:23, 25 131:10, 11,
 18, 18 132:19 133:4, 7, 21
 203:4
seated 121:5
seats 81:21 109:22
 117:10, 16, 17, 21 129:7
second 13:23 40:1 83:14
 96:23 103:10 104:7
 122:20 123:2 125:15
 126:8, 19 135:24 137:1

138:6, 7 157:12, 15
 168:20, 21 169:6, 11, 13,
 14, 20 170:6, 11 201:9
Secondly 7:16
section 155:1
see 13:12 22:5, 8 23:10,
 13 24:21 35:20 42:17
 55:14, 15 74:3, 4, 13 82:8
 83:1 84:2 85:8 86:8
 92:12 94:2, 4, 7, 12 95:19
 100:7 106:13 112:15
 113:16, 18, 20 116:6, 10,
 14 119:3 120:23 122:13,
 20 123:3, 17 124:5
 129:12, 17 131:15, 19
 132:20 140:22 142:11, 25
 147:16 148:2 157:16
 161:25 162:2, 2, 23 163:3,
 17, 22 164:15 170:15
 182:17 188:3 192:16, 21
 198:14, 23 199:15, 16, 21
seeing 20:17 21:8, 19
 22:17 23:4, 4 113:22
 114:11, 16 134:22
seen 13:4, 5, 19, 21, 23
 20:6, 19 51:14, 14 55:15,
 19, 19 74:14, 15 97:4
 132:9 134:5, 17 157:18
 162:5, 9 163:19 169:3
 172:15, 17, 19 173:11
 190:22 192:17, 22 193:7,
 7, 9 194:9 196:11
selector 113:21 114:9
self 23:5 192:10
Senior 145:18
sense 34:13 103:6
sensitive 37:1
sent 30:7 68:22 165:9, 10
 167:13
sentence 116:7, 10 159:8
sentenced 58:16
separate 52:25 98:13
 99:1, 6 152:7 178:14
separated 182:13
 [REDACTED] 65:16
September 43:18 44:4
 64:4, 12 66:7 70:3, 4, 16
 [REDACTED] 65:14
Sergeant 5:17 152:21
 169:16, 19, 22 170:11, 17
 171:1 182:7 183:12
 185:20 186:8, 17 187:3
 193:1
series 145:2 172:2 202:3
 204:5
serious 190:1, 15
served 172:2
services 20:15
session 7:16

sessions 13:16
 set 207:16
 seven 129:5 206:8
 seventy-five 18:8 176:2
 severe 65:3
 SGT 1:18 206:7
 shake 7:14
 share 7:8 88:24 93:12,
 20 96:15 108:8 111:8
 172:14 173:21 182:22
 183:5
 S-h-a-r-p-l-e 146:6
 Sharpless 146:4
 Sharpless 145:24 146:5
 S-h-a-r-p-l-e-s-s 146:1, 3
 sheet 206:11
 Sheffield 17:10
 Shell 194:10, 13
 she'll 127:23, 23
 shift 114:9
 shock 26:2, 3 124:22
 shocked 124:17 125:18
 shoes 180:3, 4
 shoot 124:5, 6 168:2, 3
 190:22
 shoot, 134:18
 shooting 34:15, 23 36:2
 124:12 134:11 177:8, 11
 shop 31:8
 shopping 176:18, 19
 Shore 41:10
 short 45:8 46:13 103:1
 shortly 136:10
 shot 116:16, 19 117:2
 121:9, 20 122:2, 14, 20, 20,
 22 123:1, 2 124:15, 17
 125:5, 15, 15 126:9, 18, 19
 132:9 133:12 134:2, 3, 8
 135:4 138:15 143:17
 146:20 149:14, 23 150:5
 154:11, 16 155:3 167:25
 168:2, 3, 7, 10, 12, 14, 16,
 20, 20 169:3, 3, 6, 6, 14, 14,
 21 181:21 182:2, 3
 189:16 201:9 203:9, 14, 21
 shots 125:2, 18 127:9, 11
 128:18 129:11 131:5, 9
 134:23 135:2 140:7
 168:17 169:17 201:4
 show 12:6 26:6 86:16, 17
 108:14, 15, 18 131:1
 142:23 173:5
 showed 93:17
 showing 82:25 84:25
 156:23
 shown 84:10 183:6
 shows 120:7 130:19
 shut 47:24
 side 12:11, 12, 14 94:5
 95:12, 16, 16, 20, 20 96:7,

8, 13, 14 97:8, 18, 21 98:3
 99:20, 20, 24 100:3, 4, 15
 109:20 111:6, 10 112:17,
 24 113:13 121:8 122:1
 125:8 131:16, 21, 24
 134:1, 22 142:16, 20
 147:3 148:5 169:25
 170:1, 16 203:3
 sides 95:2 131:25
 Sidoti 2:7 3:3, 5 4:4
 30:19 196:24 197:17, 18
 203:24 204:12, 14
 Signature 205:7
 signed 196:6
 signs 74:6
 simpler 136:20
 Single 18:18 42:4 155:7
 sirens 89:14
 sister 195:14
 sit 88:3 147:6 148:1
 202:25
 sitting 74:1 89:19 145:7
 203:4
 six 129:2, 3, 4
 sixteen 19:1
 sleep 9:7 67:23 73:3
 sleeping 60:13, 25 61:2
 68:2
 sleepy 12:9
 slept 73:4
 slow 94:21, 23 175:4
 slowed 159:20 187:8
 slower 94:15, 16
 slowing 95:3
 small 43:8
 smart 144:13
 smoker 26:12
 smoking 134:14 154:8
 155:12, 17 156:13
 sofelionous 135:23 136:25
 soft-spoken 9:23
 Solon 3:18, 18
 somebody 14:13, 18 20:10
 68:11 77:5, 11 85:8
 126:21 148:2 162:8
 164:4
 son 19:11 103:25 133:17
 138:13, 21
 son's 102:2, 3
 soon 17:23
 sorry 5:25 9:19, 24
 13:15 15:12 16:17 19:6,
 10 20:25 25:23 30:15
 32:17 35:24 36:21 38:8,
 25 39:17 42:16 49:21
 55:19 56:22 63:23 64:9
 78:19 90:11 91:7 98:22
 101:2 106:16 107:15
 118:4, 6, 8, 19 119:6
 127:22 133:9 143:8

144:4 146:8 163:15
 165:18 166:17 167:5
 170:20 178:18 185:5
 190:23 191:21 194:9, 12
 sounded 169:11
 source 165:2
 southbound 91:7
 Southview 46:14
 SP 206:23
 Speak 10:2 14:13, 17
 20:9 22:16, 19 59:13
 68:11 136:9
 speaker 103:20
 speaking 12:25 151:20
 156:7 165:6
 Special 4:15 135:15
 136:4, 7, 21 137:4, 12, 20
 138:8, 18 140:21 141:3
 143:15 173:15 188:10, 25
 specialist 12:22
 specific 51:2 79:16
 121:16, 24 156:12
 specifically 33:16 121:16
 129:9 186:9 198:18
 200:22 201:13
 specified 207:12
 speculation 112:9
 speculations 136:6, 13
 speed 88:21, 23 92:4, 9
 93:15 94:25 159:15, 18
 160:1, 12 187:9 198:22
 199:2
 speeding 153:16 159:15
 speeds 93:6, 19 94:19
 spell 54:10 61:5 145:25
 spelled 12:15 128:2, 9
 spend 179:11
 spin 105:15
 spins 112:14
 spite 49:20, 23
 split 42:11 104:7 176:17,
 21
 spoke 53:3 68:4 134:6
 136:12 150:23 151:1
 152:1 193:25 201:14
 spoken 14:7
 spun 105:14 106:9
 Square 2:7 3:6
 Sr 150:15
 Sr. 19:9 149:18
 SR-22 34:3 35:8
 SS 207:3
 s-s 146:7, 8
 St 41:10 66:25 67:12
 stabbed 61:19
 stabbing 62:15
 stability 28:1
 stack 82:5, 19 84:4, 21
 130:2

stage 6:20
 standard 120:10
 standing 169:23 170:15
 Star 15:11, 13, 15 17:12,
 18, 22, 24 18:1, 6 30:12
 31:7 32:7, 8
 Starbucks 204:10
 start 8:17 22:17 65:7
 78:6 140:15 142:1
 started 7:1 11:8 12:25
 23:4, 4 67:10 70:10
 72:20, 24 144:10 195:11
 startled 125:18
 State 2:6 15:25 16:1, 2, 7
 53:4 69:21, 22 71:8, 11
 91:5 116:12 124:22
 207:3, 5
 stated 153:4 154:7, 9, 10,
 10 155:13 156:14
 statement 103:15 111:18
 116:18 122:13 123:21
 135:10 155:11 160:25
 161:14 168:11 185:21
 186:1 198:20
 statements 137:14 186:3
 STATES 1:1
 station 144:1, 21 147:2, 3,
 12 149:5 151:5 152:15,
 23 153:3 154:7 165:23
 184:1 194:10, 14 200:3
 status 18:17
 stay 23:12 156:6
 stay-at-home 174:23
 stayed 56:2, 3
 staying 54:20
 stealing 58:1
 steering 96:25 97:2
 113:20 114:9, 24 115:12
 202:22 203:3, 15
 Stenographic 2:5 207:5
 Stenotypy 207:8
 step 8:11 76:11, 12, 12
 Steving 151:21, 24 152:11,
 21 153:18, 22 154:9, 23
 156:8 183:23
 S-t-e-v-i-n-g 151:22
 Steving's 154:5
 sticker 83:2
 stipulate 6:19
 stipulation 6:14
 STNA 15:24 16:2
 stop 12:13 22:15 71:17
 90:6, 14 94:16 101:6, 6
 105:13, 17, 25 106:11
 107:1 108:6 109:6 110:8
 112:14 137:21 138:10
 142:4 143:11 150:3
 153:15 164:19 188:13
 190:16
 Stop, 101:6

stopped 11:11 23:1
 29:11 71:21, 22 72:18
 78:24 107:22 111:14
 140:6 142:15 153:11
 163:7 187:20 190:18, 20
stopping 109:15
stops 59:23 113:17
 128:17
store 60:14 176:18
stores 48:14
straight 62:4 133:19
Street 54:6
stress 14:2
Strike 19:7 28:13 49:12
 71:23, 24 74:18 87:2
 99:2 105:23 107:19
 113:16 122:19
stripes 170:17, 19
strips 105:1
strong 28:1
Strong's 89:3
STRONGSVILLE 1:13
 5:16 34:15, 18 35:4
 86:23 87:18 88:19 89:2,
 3, 7 91:3 93:10, 18 96:11
 97:6, 25 98:12, 14, 25
 99:5, 8, 19 107:7, 21
 108:4, 7, 16, 17 109:5, 15
 110:7 112:15 113:18
 143:15, 25 144:20 147:1,
 12 149:15 151:21 152:4
 153:8 160:8, 9 161:1, 7,
 25 163:17, 22 164:17
 166:21 182:18 183:19, 21
 184:2 193:4, 10 199:6, 20
 201:12 206:7
struck 76:19
student 195:10
study 16:19, 23
stuff 59:24 132:20 147:5
 195:4
subject 34:1 36:6 176:25
subscribed 206:15
subsequent 22:6
subsidized 11:16
successful 31:16
successfully 16:21
sudden 20:20
suffer 26:9 60:24
suffered 115:3
suffering 14:5 25:10
 26:18
suggest 26:4
suggesting 14:12
 [REDACTED] 27:11
 [REDACTED] 27:19
Suite 2:8 3:6, 12 43:20
summer 56:3, 4
summertime 39:13

SUMMIT 207:4
supervisor 164:17
support 6:7 56:8, 9, 13,
 17, 25 59:24 60:3, 9
 174:15, 19, 21 175:8
 179:23 181:1, 6 195:5
supported 179:25 180:5
supposed 86:16
sure 7:5 10:21, 22 12:5
 33:5 35:23 36:4 39:5
 46:20 47:2 48:7, 17 52:6
 54:22 59:11, 14 60:19
 61:21, 22 62:7 67:22
 68:12 70:1, 18 73:18
 84:12 101:24 103:15, 17
 104:9, 19 105:3, 19 108:1,
 2, 23, 23 114:10, 18, 19
 115:19 116:1 118:22
 120:22 122:11 123:11
 127:13 138:5 146:19
 158:6 159:21 167:12, 13
 176:22, 23 182:5 185:6
 186:7 201:16 202:21
 [REDACTED] 66:10, 12, 14
surprise 81:5
surprised 81:3 124:10
surreal 101:19 124:23
surrounded 187:8, 10, 19,
 24
Susan 2:4 207:5, 21
suspect 43:20
suspect's 152:22
suspended 34:18
suspension 33:10, 11
 78:25 79:5, 20 80:13, 18,
 21, 25 81:12
SUV 107:8, 21 108:7, 17
 109:5, 16 110:7 111:14
 113:18 114:5
switch 12:8 85:25, 25
switchblade 61:18
switched 11:17, 22, 22, 24
 12:6 23:6 86:6
sworn 5:6, 9 206:15
 207:6
symptoms 11:14 22:14
 71:25 74:6
 [REDACTED] 14:2
system 24:13 195:5

< T >
tablet 24:5, 6
tablets 28:5
Tackla 3:19
take 7:20, 24, 25 8:3, 8
 9:3, 5, 6, 10, 12, 13 15:24
 27:24 28:5 36:22 41:6
 44:22 70:11 71:2 72:7
 74:13, 15 77:25 78:13
 82:6 101:22 108:17

119:7 120:13 130:25
 143:7 144:3, 17 152:22
 158:6 161:11, 20 164:9
 171:10 173:11, 23 182:10
take-home 176:8
taken 2:4 9:1 12:18
 45:1, 8 85:8 88:9 108:14
 133:19 141:19 153:5
 171:15 204:5 206:4
 207:11
takes 40:12
talk 8:12 62:14 63:14
 75:7 103:5, 9 112:11
 136:3 148:4 158:2, 5
 183:12, 15 196:5
talked 127:14 149:25
 194:7, 8
talking 79:8 116:2
 134:15 136:5 148:11
 177:13 184:4
tall 141:2 163:11
Tape 5:4 45:5 86:9 88:7,
 13 141:12, 14, 16, 21
 197:6, 9, 14 204:24
tapes 197:6
tased 134:4 192:7
taser 189:2 191:10, 25
tax 49:9, 13, 24 50:4, 12,
 17, 18, 21 52:3
taxes 32:11 49:17, 19, 24
 50:23 51:20, 21 176:12
Taylor 53:21 54:4
Taylor's 53:23 54:1
teach 78:7
teaching 179:6
technical 24:5 82:20
Ted's 47:22
telephone 144:21 145:2
telephones 148:21
tell 7:25 8:4, 8 10:14
 15:21 21:4 32:1, 20
 36:23 43:21 46:7 50:2
 56:25 57:1 58:11 61:9,
 24 62:16 63:11 73:22
 75:11 76:8 81:3 85:20
 87:25 88:3 89:6 90:3, 5
 96:17, 18 102:15, 24
 104:4 105:9, 20 114:19,
 25 115:22 116:15, 16
 117:12, 15 127:19 128:11,
 15 129:13 131:7 132:12
 133:25 136:21 146:16, 17
 149:11, 20 150:12 157:2
 158:19 159:4 160:18
 161:21 162:8 164:5
 168:21 170:5, 6, 19 171:7
 173:10, 16 175:2 176:15,
 16 178:20 181:9 183:18
 188:10 192:22 193:16
 196:20 203:18

telling 34:21 90:14
 135:21 136:2 141:3
 143:14 149:10 153:18, 22
 168:18 188:25
temporarily 130:25
Ten 18:8 31:2 140:16
 176:2
tenth 39:10, 12, 13, 14, 15,
 17, 20, 20 194:17, 21
term 24:5
Terminal 2:7 3:5
terminology 57:25
terms 122:19
Terry 194:24 195:1, 2, 2, 2
test 16:21
testified 5:10 155:20
 160:21
testify 111:3 163:2, 8, 16,
 19, 21 171:4 172:10 207:6
testifying 6:15
testimony 26:8 27:2
 42:18 52:7 64:11 91:20
 101:5 122:10 144:17
 168:17 202:9, 10 203:10,
 20 206:10 207:7, 9
Thank 6:22 10:5 33:13
 45:11 72:14 82:23 87:1
 97:16 98:10 106:14, 17
 119:19 122:9 156:25
 171:8 173:7, 19 204:8, 20
theft 58:1
thing 7:11 10:10 46:5
 68:4 93:14 136:11
 146:20
things 39:24 82:20
 124:25 154:13, 14 177:14,
 17, 22
thing's 156:3
think 30:7 34:8 35:24
 36:9 40:13 41:9 48:4
 51:17 68:11 70:2 71:16
 73:6, 8, 25 76:22 106:2
 115:10 116:19 119:3, 10
 121:12, 15 124:23 125:13
 130:20 139:11, 19 149:4,
 4 150:2 156:15 163:9
 169:5 172:6 178:17
 180:23 182:4 189:10, 21
 191:15
thinking 9:17 24:18
 62:17 73:2, 24
thinks 14:16
third 19:13 40:3 138:8
Thirty-five 18:10
Thirty-seven 84:14
this, 113:1
thought 20:9 35:19
 57:21 68:2 72:21, 25
 76:15 77:1, 19 100:11
 103:5 107:3 111:22

132:23 134:3 162:9
168:16 189:1
thoughts 29:1 72:2, 3
163:11
three 5:22 18:24 19:2, 13,
23, 25 22:3 25:6 27:13
30:7 41:19 68:6, 6 76:12
99:18 132:1 145:3 153:6
157:7 175:7
threw 123:22 134:13
thud 105:2, 2
thud, 105:2
ticket 79:4
Tile 47:24
time 5:2, 16 7:21, 24 8:3,
7, 11, 20 12:17 13:8, 13,
20, 23 14:18 17:14 27:6,
12 28:1 32:24 34:5
39:23 44:24 45:6, 21, 24
46:14 49:17 50:1, 14, 20
51:19 52:8 55:15, 16, 25
60:2, 2 61:4 64:5 65:8,
25 68:14 71:13 76:19, 21
77:17, 22 78:16 83:18, 21
85:7 88:8, 14 90:21
91:21 92:16 93:24 94:11
95:1 101:25 102:15
104:21, 24 105:4 107:2
111:6, 10 116:9 117:3
119:7 122:1 125:1, 2
127:10, 11 128:4, 17
129:4, 10, 11 131:5, 9
134:15, 22 135:4, 24
137:1 140:5 141:17, 22
142:14 144:9, 10 146:2,
13 148:13, 13 149:3
150:10, 11 151:1, 8
153:11 158:9, 13 159:12
168:15 169:6 170:14
171:13, 17 173:11 177:12
179:13, 15 181:22 182:1
186:4 197:10, 15, 24
199:16 200:4, 5, 6 201:8,
24 202:16, 19 203:8, 13
204:24 207:11
timeline 112:13
times 13:4, 7 41:18
49:18 50:5, 6, 9 51:6
64:21, 22 68:10 90:5
95:6 99:12 138:15
149:19 150:24 159:16, 18,
18, 19 175:3, 5 176:4
196:25 200:10 203:7
times, 74:3
tire 105:1, 5
tired 11:19 73:7, 10
tires 104:22 105:18
106:19
title 86:2, 5, 6
titles 16:6

today 6:9 8:20 9:1
159:25 202:25
Today's 5:2
Todd 3:14 5:15 127:25
196:24
told 14:16 25:24 34:6, 14,
18 35:4 37:11 42:4
59:17 60:10 68:1 70:2
71:18 75:16 79:12 85:24
88:18 91:2, 17 93:9
96:10 97:24 98:11, 24
99:4 103:3 108:4 111:20,
24, 25 112:1 116:11
117:8 129:18 134:9
136:7 138:13, 21 140:17
146:19 149:17, 22 150:2
151:13 152:1, 11 153:15
155:2 161:9 162:6
166:15, 19 184:8, 11
188:16, 18
top 198:12
touch 117:22
touching 113:24
Tower 2:7 3:5
town 54:15
track 76:10
trade 78:7
traffic 59:23
trailer 43:8
training 170:25, 25 171:5
182:7
transcript 196:16
transcription 206:10
207:9, 9
transferred 28:11
transported 143:25
152:25
traskin@mrrlaw.com 3:19
treat 26:20
treated 29:6 74:24
treating 12:21 15:3
67:25 69:9 74:18
treatment 22:10 74:20
trial 6:17
trick 123:14
tried 61:25 62:3
[REDACTED] 11:22, 24 12:7,
13
[REDACTED] 12:15
Troopers 116:12
trouble 23:5 106:15
true 73:9 139:8 156:12
159:11 161:4, 14 162:21,
22 168:1 206:9 207:9
truth 207:7, 7, 7
truthful 168:11
truthfulness 186:17
try 10:1 98:23
trying 14:3 32:2 36:25
94:20, 22 103:14 120:19,

21 121:1, 2 127:7, 8
174:14
tubings 119:24
Tummel 54:9
T-u-m-m-e-l 54:11
turn 30:18 88:2 104:15
turned 90:23, 25 91:6, 11,
23 129:5 160:22
Twenty 48:10
twice 13:5 21:25 50:8, 10,
11, 11 51:17 52:1 100:2
106:4, 5, 6, 8 168:2, 4, 10,
12
Two 5:23 6:3 13:7, 11,
12 17:18 19:23, 23 20:19
29:10 31:18 38:23 41:18
50:3 59:6 60:9 65:2
70:12 76:12 78:18, 20
86:9 99:24 100:3 105:9
130:21, 23 138:15 141:12
152:6, 6 153:6 169:11, 14,
17, 23 170:3, 3, 4, 8 175:7
178:13 195:7 199:5
201:3 206:8
two-week 18:3
[REDACTED] 27:22 28:3, 5
type 10:16 30:12 71:23
180:20 196:12
typewritten 196:14
typical 179:5

< U >
UH 29:6, 24
Uh-huh 41:21 60:4
83:15 160:4 191:3
unconscious 203:21
undersigned 2:4
understand 7:17 11:10
18:13 21:7 23:23 36:25
42:17 50:8 52:6 57:21
71:23, 24 76:20 77:19
79:1 86:15 101:4 114:2
117:19 122:10 127:6, 8
132:8 155:19 174:15
177:5 179:2 188:22
197:1
understanding 8:23 9:9
20:3 36:5, 6 59:16, 17
78:22 134:7 199:11
201:3
understands 132:8
understood 168:16 188:11
uniform 170:17
uniforms 193:5
unit 174:13
UNITED 1:1
units 86:24
University 28:8 29:2
30:4, 10

unorganized 76:2, 7, 9
unpaid 60:8
unquote 154:9 156:15
unusual 76:20
upstairs 174:8
use 44:21, 21 57:24 62:5,
15 102:1, 2, 7 130:8
165:15 191:10, 17, 23, 25
201:14, 18, 19, 20, 21
usually 103:4 174:7
utilities 174:3
utilize 191:10

< V >
valid 34:2, 16
Van 4:13 81:24 82:1, 8,
17 83:9, 24 84:2, 9 85:4,
14, 14, 17, 19, 22, 23 86:2,
2, 4, 6, 22 88:20 89:4
92:20 96:3, 12, 25 97:3, 7,
8, 18, 21, 22 98:2, 3, 13
99:1, 6, 20, 20 100:12, 15
104:22 105:24, 25 106:2,
8 107:1, 20 108:5, 16
109:4, 14, 23 110:7, 23
111:5, 11, 13 112:13
113:16, 17, 21 118:10
119:11 120:9, 18, 19
125:10 128:17 129:10, 21
130:12, 19 131:8, 13
132:18, 24 133:1 134:23
137:21 138:9 140:23, 24
141:7 142:4, 9, 12, 15, 19
143:2 149:25 151:14
162:1, 23, 25 163:4, 18
164:18 169:24, 25 170:16
183:8 187:8, 14 188:12
190:4, 25 198:22 199:15,
21 200:16, 22
van's 161:1, 8 199:6
various 86:23 98:14 99:7
182:17
vehicle 62:6 89:3, 11, 13
92:15 93:2 95:7, 22, 23
96:14 97:2 99:19 106:3
109:8 112:13 136:12
152:3, 4, 22 159:14
186:22 188:3, 5 199:1, 12
200:11 202:4 203:1, 5
vehicle, 161:3
vehicles 84:3 94:24 99:8
109:7 119:15 143:11
152:7 182:19, 25 183:1, 3
187:7, 10, 15, 16, 19, 24
verbal 7:12
verbalized 136:6, 8
verbally 35:2 130:16
196:22
versus 1:12

victim's 184:6, 11, 17
video 162:7
Videographer 3:19 5:1
 6:3 44:23 45:4 83:17, 20
 86:9 88:6, 12 141:12, 15,
 20 158:8, 12 171:12, 16
 197:5, 8, 13 204:22
videos 186:20
VIDEOTAPED 1:9 2:1
violated 63:20, 24 64:13
violence 24:4
vision 118:7
visit 14:22
visits 13:10
voice 10:3
voluntarily 28:18

< W >

Wait 84:16 157:24
 191:19
waived 205:7
walk 142:12 147:2, 11
walked 193:3
want 10:10 21:5 22:16
 23:9 31:14 45:17 51:15
 52:6 56:20, 23 67:19
 84:19 108:18 114:23
 121:1 144:16 172:13
 175:6 177:15 182:4
 185:6 196:20, 22, 23 197:6
wanted 23:9, 10 72:22, 23
 77:16 78:8 176:18, 19
 194:12 201:20
wanting 188:24
wants 21:6
watch 165:22 180:12, 13
watched 162:6
watching 126:22 179:7
water 101:2
way 30:17 45:9 78:11
 81:21 91:18 117:20
 118:10 125:7 128:9
 158:20 161:3, 13 162:1,
 19 165:13 173:22 182:23
 187:12, 13 193:23 194:1
weapon 192:8
weapons 138:17 192:5
 200:11
wearing 193:4
weather 91:25
Wednesday 2:8
week 18:9 21:25 28:17
 66:13 175:13, 25 179:11
weekend 56:2
weeks 13:11, 12 17:18
 153:6
welcome 8:10 173:8
 204:9
Welding 175:18

well 7:1 10:21 18:3
 20:17 24:4 25:24 26:4,
 16 28:13 30:5 33:10
 51:11 61:24 68:14 74:17
 75:23 76:5 78:1 80:4, 6
 85:11 86:2 87:2, 22
 92:15 103:19 105:23
 109:14 117:22 118:16, 18
 120:10 126:13, 18 127:17
 132:4 133:10, 12 150:8
 151:15 152:17 159:17
 165:15 169:22 170:15
 173:24 174:14 175:1
 185:5 187:18, 21 195:17
went 11:7 24:7, 8, 22, 25
 32:7, 8 46:4, 7, 14 53:5
 58:13 61:2, 13, 15 62:4
 67:23 68:1, 6, 10, 14, 21
 73:13 78:4 79:6, 24 80:5,
 24 104:22 105:5, 8
 122:22 125:5, 6 138:13,
 21, 22 148:7 168:15
 174:18 194:14 203:21
We're 5:1, 15 7:21 39:12
 44:23 45:4 83:20 88:12
 124:14 128:4 134:20
 138:5 141:15, 20 158:8,
 12, 23 171:12, 16 172:6
 196:4, 9 197:8, 13 201:2
 204:22
West 38:25 41:10 44:10
Westlake 41:10
Westshore 10:22 42:3
we've 45:8 82:25 172:7
 198:8
whatsoever 185:9
wheel 96:25 97:2 113:20
 114:9, 24 115:12 202:22
 203:3, 15
when's 189:13
WHEREOF 207:16
white 108:6, 17 112:16
why's 189:12
window 35:12 140:24
 141:6 148:6
windows 140:23 147:18,
 22 148:1
Winters 3:11
withdraw 70:23
within-named 207:6
witness 6:20 20:21 24:19
 25:21 32:17 101:1
 108:21, 24 157:21 205:7
 207:6, 8, 16
witnesses 172:9
woke 27:22
woman 23:7
women 55:6
word 116:21 122:11

words 46:4 90:18 110:23
 113:6 137:3 173:23
 177:7 202:11
work 14:2 15:10 17:14,
 24 18:12 30:12, 22 31:1,
 11 40:12 48:1, 22 65:6
 72:23 73:10 75:14, 14, 16,
 18 79:3 80:5 175:8
 184:15 197:24
worked 15:17 17:19, 20
 27:24 32:1 47:21, 22, 22,
 23 174:22 175:10, 18
working 18:9 30:12
 31:22, 23 48:17 175:13
 196:11
works 14:13
worry 139:25
wound 65:12
wrapped 23:8
wreck 131:13
written 172:2, 16
wrong 63:2, 13 78:22
 84:16 88:2 93:21 100:20

< X >

xerographic 83:8 119:4
XR 9:6

< Y >

Y.E 1:10 3:10
Y 19:1, 5, 6, 8, 20
 39:25 40:17, 20, 24 41:6,
 7, 22 44:8, 16 53:15
 60:23, 24 75:23, 23 78:3,
 8 127:20 128:6, 7, 11, 25
 129:6, 15, 18 131:4, 7, 14,
 19 132:13, 17 133:4, 20,
 24 134:12, 21
Y 39:22
Y 195:10
Yeah 19:10 32:8 53:2, 2
 67:5 77:24 117:24
 123:23 126:10 139:13, 13
 143:21 151:9 154:24
 155:14 158:22 169:12
 175:24 177:16 183:4
 184:19 194:12 197:7
 205:4
year 9:15, 17 11:4, 11
 12:4 14:12 31:12, 13, 13
 39:18, 21 40:13 41:11
 42:21 44:4 47:1, 3 48:6
 49:5, 5 50:4 69:7 174:17
years 15:18 16:10 27:7
 29:13, 17 31:2 32:1, 22
 37:4, 11 38:21 42:12
 43:2, 9 48:2 49:3, 3, 6, 14
 50:11 51:10, 12 52:1
 59:6 64:17 70:12 74:21

126:21 175:9 176:12
 181:11
Year's 61:11
yelled 116:8
yelling 116:5 124:11
yesterday 13:24
young 24:16 40:9 132:5,
 6
younger 41:7 46:13 65:5
 78:3

< Z >

9:11, 12 10:14
 11:1, 11, 15 12:3, 8 29:9

Deposition of Amanda Pauley

Adam Fried, Administrator Estate of Roy Evans, vs. City of Strongsville,

C E R T I F I C A T E

STATE OF OHIO,)
) SS:
 SUMMIT COUNTY.)


I, Susan M. Petro, a Stenographic Reporter and Notary Public within and for the State of Ohio, do hereby certify that the within-named Witness, AMANDA PAULEY, was by me first duly sworn to testify the truth, the whole truth and nothing but the truth in the cause aforesaid; that the testimony so given by her was by me reduced to Stenotypy in the presence of said witness; afterwards prepared and produced by means of Computer-Aided Transcription, and that the foregoing is a true and correct transcription of the testimony so given by her as aforesaid.

I do further certify that this deposition was taken at the time and place in the foregoing caption specified, and was adjourned.

I do further certify that I am not a relative, employee of or attorney for any party or counsel, or otherwise financially interested in this action.

I do further certify that I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Akron, Ohio, this 30th day of July, 2018.


 Susan M. Petro, Notary Public
 My commission expires May 7, 2022